

Page 122

Page 124

1 A. There's no guarantee.
2 BY MR. RUNNELS:
3 A. I don't know that.
4 Q. You don't know. Okay. That's fair.
5 That's fair.
6 A. In fact, most of the things in the
7 windows are more from a presentation standpoint.
8 I mean, for purposes of presenting, you know, it
9 makes sense to have the city and the state and the
10 zip separated, if you can do that.
11 Q. You were asked whether a data
12 dictionary is the same as a CSR layout. And you
13 said, I think, you don't know; is that correct?
14 BY MR. BERMAN:
15 A. I don't know.
16 Q. You don't know if that's what you said,
17 or you don't know that.
18 A. I don't know that they're the same
19 thing.
20 Q. Thank you. Do you understand what --
21 what's your understanding of what a data
22 dictionary is?
23 A. I actually haven't heard that term
24 until this in quite a while. I don't know.
25 Q. Okay. Fair enough. I think I'm near

1 to BellSouth central office?
2 BY MR. RUNNELS:
3 A. That's based on the address
4 validation.
5 Q. Well, my question is, did you consider
6 whether the features and services may vary from
7 central office to central office?
8 A. The features and services that are
9 pulled back --
10 Q. Right.
11 A. -- within our application are based on
12 the address that was validated --
13 Q. Right.
14 A. -- which is used to determine the
15 central office.
16 Q. Right. But if someone was to keep its
17 own database for features and service, you'd have
18 to know how they vary from central office to
19 central office?
20 A. Correct.
21 Q. And do you know whether the available
22 interexchange carriers vary from central office to
23 central office?
24 A. I don't know. I do --
25 Q. Go ahead.

Page 123

Page 125

1 complete. Let me just check my notes here.
2 Clarification of an earlier question.
3 Does the OP replace the web browser?
4 Is that one of its functions?
5 A. OP is just another entry vehicle into
6 the CGI server.
7 Q. Okay. You stated before you didn't
8 send an actual order through into BellSouth's
9 systems; is that correct? Through the EDI?
10 A. We would hand the files off to Alex
11 Dizon.
12 Q. So --
13 A. At that point, I don't know --
14 Q. What happened?
15 A. -- what was run with the files.
16 Q. Was there any consideration on the
17 provisioning aspects of receiving provisioning
18 notices? Did you --
19 A. No.
20 Q. You didn't deal with that at all?
21 A. (Witness shook head negatively.)
22 Q. When you were constructing your OP
23 interface with respect to features and services,
24 did you consider whether the services and features
25 offered might vary from BellSouth central office

1 A. I do know that, again, for you to pull
2 that back from the CGI, you would have to enter a
3 valid address.
4 Q. All right.
5 A. So if it did and you did choose to use
6 that as a population method as opposed to a
7 database, you would most likely be getting the
8 carriers that were available for that central
9 office.
10 Q. You had mentioned some testing. Could
11 you please tell me what types of tests you ran?
12 A. Basically everything starts with the
13 address validation. I tried addresses for people
14 that I had permission to do so, telephone numbers
15 for people that I had permission to do so, tried
16 parts of addresses to see what would happen if I
17 didn't put in a valid address to handle either
18 nothing coming back or multiple potential
19 addresses coming back.
20 Everything else kind of drives from
21 there. You have the valid address. When you go
22 to reserve telephone numbers, I'm not sure that
23 anything is really required on that screen. We
24 defaulted to random numbers as a selection.
25 I think you can fill in or not fill in

Page 126

the other fields if you want to, even within LENS. You get those back.

Q. But let me try to cut this a little shorter. Was there any systematic testing, or was it just kind of ad hoc, for lack of a better word?

A. There wasn't a --

Q. You can characterize --

A. -- testing tool if that's what you're asking.

Q. -- it how you want to. Okay.

A. There was no testing tool.

Q. That's I think what I was after. The last question I have is, on the CSR, when you view the CSR, is the only way to do that through a telephone number? You can't do it through an customer's name or --

A. I don't know if there's any other way to do it. The CGI specs refer to doing it in a similar way that it's done in LENS.

MR. HOPKINS: Okay. That's fair. That's all I have. Thank you very much.

MR. ALEXANDER: Well, you did mean that was your last question. Thank you.

(A discussion was had off the record.)

Page 127

MR. ATKINSON: Good afternoon, gentlemen. I'm Bill Atkinson on behalf of Sprint Communications Company, LP. I have just a few questions for you this afternoon. And I usually say that as well.

MR. ALEXANDER: I know.

(A discussion was had off the record.)

EXAMINATION

BY MR. ATKINSON:

Q. You've discussed on page 1 the entry under project architect in prior testimony today. I'd like to clear up something, at least in my mind. There's been some discussion of the performance requirements.

I'd like to address your attention to the phrase set forth by BellSouth Telecommunications in that entry. And I'll just ask you, because it's still unclear to me, how did BellSouth set forth to Albion the performance requirements?

BY MR. BERMAN:

A. Again, there's no set throughput. So thus, because the application works that's the performance requirements at this point.

Q. There was no written set of performance

Page 128

1 requirements handed to Albion?

2 A. That's correct.

3 Q. So any performance requirements that
4 would have been passed from BellSouth to Albion
5 would have been orally?

6 BY MR. RUNNELS:

7 A. There were none.

8 Q. There were none.

9 A. There were none, other than that it
10 work.

11 Q. Okay. I direct your attention to
12 page 2 of the report under requirements. There it
13 reads under that heading, from a business
14 requirements' perspective, BellSouth's LENS web
15 application was used as a model for the business
16 requirements used in OP. Is that a correct
17 reading?

18 BY MR. BERMAN:

19 A. That's correct. We were not -- this is
20 not our -- we had for previous experience in this
21 problem domain. And the use of LENS was a way to
22 familiarize ourself.

23 BY MR. RUNNELS:

24 A. To further clarify that, if we as
25 Albion were developing an application like this

Page 129

1 for a CLEC, we would ask the CLEC how would you
2 like this to look, what would you like it to do?
3 And not being able to do that, since we were
4 mimicking a CLEC ourselves, we made it look
5 similar in some respects to LENS where we thought
6 it made sense to do so and change the look where
7 we thought it made sense to do so.

8 Q. Gentlemen, I want you to feel free to
9 explain your responses, but the question I was
10 asking you, did I read that portion of the report
11 correctly? That's what I was looking for. But if
12 you have comments in the future on that, then
13 they're welcome.

14 The excerpt I read you -- I guess I'll
15 direct this question to Mr. Berman -- does this
16 excerpt that I read to you mean that BellSouth
17 provided initial business requirements for the
18 software, or were the initial business
19 requirements developed by Albion?

20 BY MR. BERMAN:

21 A. BellSouth.

22 Q. BellSouth provided the initial business
23 requirements for the software?

24 A. Through basically -- you know, this is
25 the LENS application, okay. And this is

Page 130

Page 132

1 effectively we want to have you guys integrate to
2 the back-end services behind this application for
3 the pre-order component.
4 BY MR. RUNNELS:
5 A. If I may add to that, the first day --
6 either the first day or the second day that I was
7 on the project, Rob and I met with Alex. Alex
8 walked us through the steps of the pre-order and
9 the firm order in LENS and said, "Your application
10 needs to be able to do this."
11 Q. And for clarity of the record, we're
12 speaking of Alex Dizon?
13 A. Alex Dizon.
14 Q. Dizon?
15 A. Yes.
16 Q. Thank you.
17 A. And as far as presentation of that or
18 what we decided to add to make it, I guess, more
19 customizable for a CLEC or whatever, that was more
20 up to us. The bottom line was that it had to
21 do -- it had to be able to create an order.
22 Q. So what I hear you saying is that
23 initial expectations of business requirements were
24 given by Alex Dizon and BellSouth, but as far as
25 customizing those requirements into workable

1 this project, when were you first told -- or were
2 you first told by BellSouth personnel that Albion
3 was being furnished the same information that had
4 been furnished to CLECs in their development of an
5 integrated pre-ordering ordering interface
6 application?
7 BY MR. BERMAN:
8 A. I didn't have that conversation.
9 MR. ALEXANDER: I'm looking at the page
10 where that information is listed. And
11 unfortunately -- I think it's page 2 -- I don't
12 see the language you just added in your question.
13 If it's there, please direct -- I think it's
14 page 3 where that information is listed.
15 BY MR. ATKINSON:
16 Q. Are you familiar with Mr. Stacy's
17 affidavit that was submitted in connection with
18 these proceedings?
19 A. Yes, I've read it.
20 Q. You have read it?
21 BY MR. RUNNELS:
22 A. I can make this quick. I was told from
23 Day One we weren't going to get anything more than
24 a CLEC would get.
25 Q. And who told you that, Mr. Runnels?

Page 131

Page 133

1 software application, that was up to Albion? Is
2 that correct?
3 BY MR. BERMAN:
4 A. That's correct.
5 Q. Just for your reference on page 4 of
6 the report under the new service residential
7 heading, it states there that the OP application
8 converts the completed order to an EDI document
9 that an interface -- that can interface with the
10 Harbinger EDI-PC software application.
11 And my question to you is, to your
12 knowledge, is the Harbinger application also a
13 proprietary interface?
14 BY MR. BERMAN:
15 A. I don't know the answer to that
16 question.
17 Q. You don't know. To your knowledge, are
18 Albion and Harbinger affiliated entities, to your
19 knowledge?
20 A. No.
21 BY MR. RUNNELS:
22 A. No.
23 Q. I'd like to discuss briefly the
24 information that was given to Albion by
25 BellSouth. In preparation and in your fruition of

1 A. Alex Dizon.
2 Q. Alex Dizon.
3 A. Now, I don't know. I mean, since I
4 don't know what a CLEC normally gets, I can't say
5 that we got what a CLEC normally gets. I was told
6 that we weren't going to.
7 Q. You never consulted with CLECs during
8 the course of your project as to the information
9 currently available to them for if they were to
10 attempt this type of development?
11 BY MR. BERMAN:
12 A. No.
13 Q. And that's to either of you, if you
14 will go just one at a time, please.
15 BY MR. RUNNELS:
16 A. Well, I looked on the Internet at the
17 information that was available to CLECs. And I
18 can say that what is said that we used here is
19 what we used here. There's actually a lot more
20 information available than what we used.
21 BY MR. BERMAN:
22 A. Copious amounts.
23 Q. Mr. Berman, you read Mr. Stacy's
24 affidavit in this proceedings?
25 A. Yes.

Page 134

Q. I'm going to read a portion from paragraph 16 in the affidavit and get you to accept that subject to check.

MR. ALEXANDER: Can I just clarify which proceedings? Because, as you know, there have been FCC documents. Are you talking strictly the Kentucky 96-608, Bill?

MR. ATKINSON: Right. I can hand this to the witness if I can --

MR. ALEXANDER: The reason I ask is that I don't know that he's seen every affidavit in every proceeding. So if you don't mind, show it to him.

BY MR. ATKINSON:

Q. If I could step behind you, Mr. Berman, I promise not to stay long. For the record, this is the affidavit that Mr. Berman and I were discussing just a moment ago. It's the affidavit of William N. Stacy on Operational Support Systems. It was filed June 19th, 1998, in Case Number 96-608, the case we're here today to further.

And I'd like to direct your attention to a portion of paragraph 16 where Mr. Stacy states in his affidavit -- I'll wait for counsel.

Page 135

Mr. Stacy states there in his affidavit that Albion was given exactly the same information that BellSouth has supplied to CLECs, including -- and there are three things listed there, the LENS CGI specification, the EDI-PC specification, and access to LENS and EDI-PC.

Is that a correct reading?

A. That's correct.

Q. This question is directed to Mr. Runnels. Mr. Runnels, that list of three things that were listed there, were you provided, or to your knowledge, was Albion provided anything outside that list of three?

BY MR. RUNNELS:

A. Not in document format. There were phone calls for clarification about the documents. But there were no other documents provided.

Q. And these clarifying phone calls took place between you and the resource persons listed --

A. (Witness nodded head affirmatively.)

Q. -- at the end of this document?

A. That is correct.

Q. Would you say that primarily most of

Page 136

1 these phone questions were responded to by Alex
2 Dizon?

3 A. No. In most cases, I would ask Alex
4 if -- and Alex was just a business contact. He
5 wasn't aware of the technical specifications. He
6 would refer me to who he thought would help who --
7 I guess normally who a CLEC would go to. I'm not
8 sure. And I would contact that person.

9 If that wasn't who was responsible for
10 that, they would send me to somebody else.
11 Sometimes it was -- in the case of Raymond Betts,
12 sometimes I would get answers from Carol Douglas,
13 since she was in charge of his work.

14 Q. Okay.

15 A. In some cases, he would call me back
16 directly.

17 Q. Okay. And you testified earlier that
18 you did not consult with any CLECs as to the
19 information that had been furnished to CLECs by
20 BellSouth and if CLECs wanted to develop a similar
21 application. Did you consult with CLECs for any
22 reason whatsoever in connection with this
23 project?

24 A. Could you break that up into separate
25 questions?

Page 137

1 Q. Right. Yes, I'm sorry. You had
2 testified earlier, I believe, that no one from
3 Albion had contacted or consulted CLECs as to the
4 information that had been furnished to CLECs.

5 BY MR. BERMAN:

6 A. And I said --

7 Q. -- if they wanted to develop the same
8 or similar applications.

9 A. And I answered no to that.

10 Q. Right.

11 MR. ALEXANDER: I think Mr. Berman
12 answered no to that. And Mr. Runnels said he went
13 and checked the internet and saw the information
14 that was available to CLECs.

15 MR. RUNNELS: The information that we
16 had was out there on the Internet.

17 BY MR. ATKINSON:

18 Q. Okay. And my question is, did you
19 consult -- did anyone at Albion to your knowledge
20 consult with CLECs for any reason in connection
21 with this project?

22 BY MR. BERMAN:

23 A. No.

24 BY MR. RUNNELS:

25 A. To my knowledge, that did not happen.

Page 138

1 Q. Do you know whether BellSouth ever
2 requested input from CLECs regarding the design of
3 the OP software?
4 A. I don't know that.
5 Q. Mr. Berman, do you know that?
6 BY MR. BERMAN:
7 A. I don't know that either.
8 Q. I'll direct your attention, gentlemen,
9 to page 2 of the Albion report under development
10 environment where you list out several different
11 kinds of hardware and software that were used in
12 the development process. One of the components
13 listed there is repository base development.
14 Mr. Berman, could you please identify
15 for us exactly what that is?
16 A. Repository base development is --
17 effectively, the application development
18 environment that we used is built around the
19 repository of shared information -- in this case,
20 libraries of classes and methods and such like
21 that.
22 And so effectively, a repository based
23 environment or a development environment, it's a
24 team based environment where you're checking
25 components in and out and sharing that as you

Page 139

1 build that up to the final product. It's not a
2 product in and of itself.
3 Q. So this has to do with the framework of
4 libraries and classes that was considered
5 proprietary by Albion?
6 A. No. This is actually a part of the
7 actual application development environment, which
8 is Forte.
9 Q. All right. Gentlemen, I'll direct this
10 question to you one at a time. What materials, if
11 any, did you review in preparation for your
12 appearance here today?
13 A. We met with the BellSouth attorneys
14 yesterday. And basically they told us --
15 explained to us what was going to happen and to
16 tell the truth. And they showed us the -- I've
17 seen the affidavit that was filed in I guess
18 Kentucky and one for Louisiana. We actually even
19 saw a video on doing depositions yesterday
20 afternoon.
21 Q. And that was a BellSouth produced
22 affidavit?
23 MR. ALEXANDER: I'll answer that. No.
24 It's commercially available I think this one is
25 Knowles Law Publishing.

Page 140

1 MR. MERSHON: You can borrow it.
2 MR. ALEXANDER: We'll loan it to
3 Sprint.
4 MR. MERSHON: Slight charge.
5 (A discussion was had off the record.)
6 BY MR. ATKINSON:
7 Q. And, Mr. Runnels, I'll direct the same
8 question to you. Did you see anything in addition
9 to our what Mr. Berman has?
10 BY MR. RUNNELS:
11 A. I saw the same things that Greg did.
12 No more, no less.
13 Q. Mr. Runnels -- this may be finally, so
14 I will preface this with finally, you discussed
15 earlier today in your testimony your knowledge of
16 the testing I believe that BellSouth had done with
17 the software that they received from Albion as a
18 completed product. Is that correct? Did you
19 discuss that today?
20 A. I'm not sure. Can you rephrase that?
21 Q. Well, let me rephrase. You used the
22 phrase acceptance testing, I believe, in
23 connection with what Mr. Dizon did with the
24 completed software.
25 A. That is correct.

Page 141

1 Q. And to your knowledge, were there any
2 other kinds or categories of testing that
3 BellSouth performed on the completed software
4 application completed by Albion?
5 A. I don't know.
6 Q. This was the only kind of testing you
7 discussed with Mr. Dizon though was the acceptance
8 testing?
9 A. That is correct.
10 MR. ATKINSON: One moment.
11 (A discussion was had off the record.)
12 MR. ATKINSON: Actually, I did mean
13 final. Thank you, gentlemen.
14 (A discussion was had off the record.)
15 MR. ALEXANDER: BellSouth will ask
16 redirect.
17 (A short recess was had.)
18 EXAMINATION
19 BY MR. ALEXANDER:
20 Q. For the record, I'm Tom Alexander,
21 representing BellSouth. And I'll be asking
22 questions redirect, I suppose, to the two
23 witnesses being deposed from Albion today. I
24 guess I'll ask Mr. Berman some of the general
25 questions about the project and information like

Page 142

that.

Mr. Berman, I'm trying to find some notes I had. What were the amount of time that you spent, I believe -- at this point, I can't recall who asked the questions. I think it was MCI. You responded that you wrote a little bit of source code in order to interface with one of the other systems.

I don't even recall which system it was, but you did write a little bit of code; is that correct?

BY MR. BERMAN:

A. Yes, sir.

Q. How much -- what percentage of the code was written for the Albion -- ordering pre-ordering, the rest of them, integration interface that BellSouth hired, what percentage of the code did you write out of that?

A. Less than one.

Q. Less than one percent? So it's fair to say that the majority of the code, the vast majority -- 99-point-something percent of the code was written by the programmers?

A. That's correct. I wrote less than two hours.

Page 143

Q. And other questions were asked during cross earlier today -- I can no longer say earlier -- this morning, concerning the scope of the project and how much money. And I believe we determined that between 19 and \$20,000 additional over what's shown on page 1 of the Albion project report was added to it after the April 30th, 1998 end date; is that correct?

A. That's correct.

Q. And did that include -- the additional 19 to \$20,000, did that include meetings that Albion would have had with -- I believe someone referred to auditors from BellSouth from Ernst & Young?

A. Yes, sir.

Q. And would that have also included talking with Albion employees, talking with BellSouth employees, concerning this acceptance testing that we heard about?

A. Yes, sir.

Q. And would that also -- that additional money that's not present on page 1 of the document also include the documentation writer's time and expenses?

A. That's correct.

Page 144

Q. And when we talked about the documentation writer, that's someone outside of Albion?

A. That's correct.

Q. That would have been money Albion would have had to pay a third party?

A. That's correct.

Q. And as to the time it was completed, the document shows on page 1 that it started -- the OPII started on February 24th of 1998, and completed April 30th, 1998. Was the major functionality accomplished during that time frame?

A. Yes, sir.

Q. And I believe you said there were -- somebody used the term -- one of the attorneys for the intervenors used the term for some other programming type problems maybe and used the term bugs. Would those have been things that were just considered cleanup after a project is done?

A. Yes, sir.

Q. Is that true in other instances, other projects you do for other clients?

A. That's true in software worldwide.

Q. So the fact that the begin date and end

Page 145

date is listed and there is some follow-up later is not indicative of something unusual about this project?

A. That is correct.

Q. And the scope of the original project, you listed that also on the executive overview on page 1. The parsing of CSRs, I believe we've heard both of you say differently, but it was at the end of the project when it even first came up; is that correct?

A. That's correct.

Q. So it was not a part of your primary work?

A. That's correct.

Q. Would you describe it as a minor part, a small part? How would you describe it, since it wasn't in the original scope of the project?

A. Very minor.

Q. We talked about -- I guess someone tried to categorize the amount of that 19 or \$20,000 that was over the amount shown, the 120,675 that's shown on page 1, as being four weeks of programming.

Would it be more accurate to say, Mr. Berman, that that's really four weeks of a

Page 146

Page 148

1 programmer's time or someone else at Albion's time
2 doing the things that I just went over earlier,
3 meeting with an auditor from BellSouth or talking
4 with BellSouth as they went through acceptance
5 testing and those type things?

6 A. That's correct.

7 Q. I just want to be clear that that's not
8 additional programming that's taking place on this
9 main project.

10 A. Yes, sir. One thing to add, the reason
11 why that number did not make it into this document
12 is that our invoicing is in arrears. And so I'm
13 not privy to that information based on when this
14 document was due out.

15 Q. There was no intention to hide this
16 additional steps or work --

17 A. No.

18 Q. -- that BellSouth actually paid Albion
19 to perform?

20 A. No, sir.

21 Q. And you were also asked questions about
22 the documentation that BellSouth furnished to
23 Albion. And the context was that you guys are to
24 act or mimic, I believe I've heard several times
25 today, as a CLEC would in developing this

1 made, but even though this newer documentation
2 came out, our application was still working the
3 way it was originally designed.

4 Q. And was it your understanding,
5 Mr. Runnels, that Albion was to act as a CLEC, and
6 that's the way BellSouth provided documentation
7 and instructions to Albion?

8 A. Well, I'm not sure that we were
9 provided the information in the same way. I don't
10 know what process a CLEC normally goes through to
11 get that information. I do know that the
12 information that we were provided was no different
13 than what would be provided to a CLEC.

14 Q. How do you know that?

15 A. Mr. Dizon told me that. And actually
16 if you go to the BellSouth interconnection web
17 site, you can find -- provided you have access to
18 that, you can find those documents.

19 Q. Thank you, Mr. Runnels. Mr. Berman,
20 I'm directing this to you. I believe in response
21 to an earlier question, you indicate that the user
22 interface part of the project took about, I guess,
23 the first four weeks or 24, 25 percent of the
24 time?

25 //

Page 147

Page 149

1 interface?

2 A. That's correct.

3 Q. And you listed the documentation -- I
4 believe counsel for AT&T attempted to insert that
5 there was actually four documents, a LENS CGI spec
6 for 2.0 or some earlier version than the 2.1
7 that's listed in your report here. Do you recall
8 that?

9 A. Yes, sir.

10 Q. Would it be more accurate to say that
11 that's really not -- there really are not four
12 different documents, but one of those items was an
13 update to one that you already had?

14 A. That's correct.

15 Q. And in fact, Mr. Runnels, did you
16 testify earlier that nothing had changed that
17 affected your work when you were given the updated
18 version of the LENS CGI interface specification?

19 BY MR. RUNNELS:

20 A. Yes. Actually, just as a side note,
21 I've been contacted by Alex Dizon because a recent
22 change has gone into LENS, apparently even newer
23 specifications. And he was concerned that what we
24 had done might be affected by that.

25 And I'm not sure what the changes were

1 BY MR. BERMAN:

2 A. That's correct.

3 Q. Do you recall that? And that the time
4 spent by Albion on doing the actual integration of
5 the CGI and the EDI interfaces was about
6 75 percent of the time?

7 A. That's correct.

8 Q. All right. What percentage of the time
9 of that amount would you have said would have been
10 spent on parsing customer service records since it
11 came at the end of the project?

12 A. Probably less than 3 percent,
13 1 percent, very little.

14 Q. Would it be accurate to say that all
15 the source code development was done prior to
16 April 30, 1998, for the project?

17 A. Everything except possibly any code
18 that was written for that view CSR.

19 Q. When I said the project, I really was
20 referring to developing the interface that
21 Albion -- that you all refer to as the
22 Ordering/Pre-ordering Integration Interface, the
23 OPII software.

24 Was that all done, the code
25 development, etc., prior to April 30th, 1998?

Page 150

Page 152

1 A. Yes, sir.

2 Q. And you were asked a series of
3 questions about the various screens that appear or
4 windows that appear in your report. And I
5 believe, Mr. Runnels, I heard you say something
6 that a lot of this is done for presentation
7 purposes.

8 Does that mean that there may be
9 machine to machine interfaces that are not going
10 to appear on these windows or screens where the
11 user can actually see what's going on?

12 BY MR. RUNNELS:

13 A. That's correct.

14 Q. And while we're talking about these
15 screens -- and I won't ask you about concatenated,
16 but these are not intended to be all inclusive, or
17 are they, of the functionality of the OPII
18 application? From what a viewer could see?

19 A. From what a viewer could see?
20 Everything that a viewer can see has been shown.

21 Q. Okay. But there are other activities
22 occurring machine to machine that's not
23 displayed?

24 A. There are examples of how the
25 interaction takes place specifically within the

1 companies?

2 A. Atlantic Mutual out of Roanoke,
3 Virginia, Liberty Mutual out of Danvers, New
4 Hampshire -- actually, Massachusetts, Portsmouth,
5 New Hampshire. Jack is using it at BellSouth
6 Communications Systems in Roanoke.

7 Q. And that's a separate company than the
8 work you did for --

9 A. That's correct.

10 Q. -- BellSouth Telecommunications --

11 A. That's correct.

12 Q. -- that you're discussing in this
13 deposition?

14 A. That's correct. So that's three
15 examples.

16 Q. Do you know whether or not, for
17 example, MCI or a company affiliated with MCI has
18 used any of this underlying development software?

19 A. Our development software?

20 Q. No. The Forte, I assume that's another
21 party. Microsoft NT, OS, Oracle, any of those.
22 Forte Software, Forte application development
23 environment, are those Albion's or are those
24 from --

25 A. That's from Forte Software out of

Page 151

Page 153

1 application for retrieving a list of telephone
2 numbers, parsing that list of telephone numbers.

3 But there's no -- there's not a listing
4 of how it's done for each type of request, like
5 address validation or services and features,
6 basically because it's all done the same way. So
7 it suffices only to put one example in there.

8 Q. Okay. And you mentioned in your
9 materials that Albion used some underlying
10 software development tools or programs; is that
11 right, Mr. Berman?

12 BY MR. BERMAN:

13 A. Our component libraries.

14 Q. Your component libraries, I believe
15 your --

16 A. Framework.

17 Q. I think on page 2, under development
18 environment, is that where those are listed?

19 A. That's correct. It's page 2.

20 Q. Do you know whether or not -- first of
21 all, has Albion done work for other companies that
22 may use this type of underlying development
23 software?

24 A. Yes.

25 Q. Can you tell us some of those

1 California.

2 Q. Do you know whether or not those are
3 available to companies like MCI?

4 A. Yes, they are.

5 Q. Do you know if MCI is using that?

6 A. MRI System House is actually a Forte
7 integrator. Companies like Sprint, who is one of
8 our clients, is currently using Forte. Quest LCI
9 uses Forte. U.S. West has got a very large
10 project in Forte right now. And BellCore is
11 actually using Forte, B-e-l-l-C-o-r-e.

12 Q. You mentioned that Sprint is one of
13 Albion's client's. Are there other
14 telecommunications carriers that Albion has done
15 software development or programming work for?

16 A. Albion has worked with LCI, Quest LCI
17 now. Albion has also done work with LBDS, which
18 is now WorldCom. Albion has actually provided
19 some consulting services to AT&T Universal Card.

20 Q. If you had to characterize in a
21 sentence or less what was the main purpose of the
22 effort Albion did for BellSouth, how would you do
23 that?

24 A. Prove the integration viability of an
25 application on top of two pieces of functionality

Page 154

1 that are preexisting within BellSouth and the
2 specifications exist to do that.
3 Q. Is Albion willing and able to help MCI,
4 AT&T or Sprint or other carriers that may want to
5 perform the integration of the CGI interface or
6 the EDI interface?
7 A. Sure.
8 Q. Has MCI, AT&T or Sprint or any other
9 carriers that are represented by the attorneys at
10 this table asked Albion to do those functions?
11 A. No.
12 Q. Would you have -- how long did it take
13 to complete this project? Was it February 24 to
14 April 30 date? Is that the time frame, roughly
15 nine weeks?
16 A. Correct.
17 Q. From your experience in doing this type
18 of work, Mr. Berman, would you describe this as an
19 extremely complicated project that Albion
20 undertook? Or what degree of difficulty in
21 comparison to other projects?
22 A. All software is complex. I would say
23 probably a 5 on a scale of 1 to 10.
24 Q. So medium range difficulty?
25 A. (Witness nodded head affirmatively.)

Page 155

1 Q. On the subject of customer service
2 record parsing, has MCI asked, to your
3 knowledge -- Mr. Berman, I'll direct to this to
4 you -- to assist them in integration or in
5 customer service record or CSR parsing?
6 A. No.
7 Q. Did Albion electronically construct and
8 submit an order via the EDI interface as part of
9 this project?
10 A. That's correct.
11 Q. Did Albion need to use parsed customer
12 service record, CSRs, in order to accomplish
13 that?
14 A. No, sir.
15 Q. Mr. Runnels, I want to follow up on
16 some questions that were asked you about a
17 conversation you had with Mr. Turner from MCI and
18 a Mr. Alden. Was that correct, A-I-d-e-n?
19 Do you recall those questions?
20 BY MR. RUNNELS:
21 A. Yes.
22 Q. First, how many telephone calls did you
23 receive from anybody at MCI, Mr. Runnels?
24 A. There may have been a total of three.
25 I think there was the first one, where Mark said

Page 156

1 he wanted to set up a conference call. There may
2 have been a second one the next day in which he
3 called and said that he couldn't get ahold of the
4 developer at the certain time or something like
5 that.
6 We were dealing with different time
7 zones. And then there was a third one where the
8 actual CSR was discussed.
9 Q. So two or three, depending on if the
10 second one actually occurred or not, but maybe
11 three times you talked to someone from MCI?
12 A. Yeah.
13 Q. Mr. Berman, how about you? How many
14 CLECs called you?
15 BY MR. BERMAN:
16 A. I'll list them. I had Quest LCI call.
17 I had --
18 Q. Was that one or more calls?
19 A. That was one phone call. At least one
20 phone called with Intermedia. One phone call
21 with -- well, with MCI, I had a phone call from
22 Vinnie Clemmons.
23 Q. Who is Mr. Clemmons, to your knowledge?
24 A. Works for MCI out of Virginia.
25 Q. Was he a software type person, is,

Page 157

1 Information Systems?
2 A. He said he was representing IS.
3 Q. Okay. Go ahead.
4 A. The second MCI phone call was from Mark
5 Turner. And there may have been one more phone
6 call with Mark. I don't remember.
7 Q. Anybody from AT&T ever call either of
8 you gentlemen?
9 A. No.
10 BY MR. RUNNELS:
11 A. No.
12 Q. Did anybody from Sprint ever call
13 either of you gentlemen?
14 A. No.
15 BY MR. BERMAN:
16 A. No.
17 Q. Would you have had any reason to call
18 anybody from AT&T or Sprint or other CLECs as a
19 part of doing your job that you were contracted
20 with BellSouth to develop the
21 Ordering/Pre-ordering Integration Interface, the
22 OPII?
23 A. No.
24 Q. Mr. Mark Turner from MCI is here today
25 attending this deposition, along with Mr. Jay

Page 158

1 Bradbury from AT&T, observing. Have either of you
2 ever met with or laid eyes on Mr. Turner before
3 today?

4 A. No.

5 BY MR. RUNNELS:

6 A. No.

7 Q. Mr. Runnels, when you were asked about
8 a conversation that you had by telephone,
9 conversation you had with Mr. Turner, and it was
10 identified later Mr. Alden on your last call with
11 them, did you have any idea -- well, how long did
12 that call last? Let me start there.

13 A. I would say about 30 minutes. Rather
14 short conversation.

15 Q. Did they tell you the purpose of that
16 call?

17 A. I was told that -- and I can't remember
18 if Mr. Turner had said this before I started
19 talking to the developer, but another developer,
20 Mr. Alden, had said that they were trying to parse
21 a CSR, were having trouble doing that, and had
22 heard that we could do it.

23 Q. Did they say where they heard that?

24 A. I didn't ask. I assumed it was from
25 all this kind of stuff.

Page 159

1 Q. All this kind of stuff, you mean
2 regulatory type proceedings?

3 A. Yes.

4 Q. Who did most of the talking?

5 Mr. Turner or this Mr. Alden, the developer? Or
6 did they say what kind of developer Mr. Alden
7 was?

8 A. I don't remember.

9 Q. Did they say whether he worked for MCI
10 or was an outside consultant?

11 A. I don't remember.

12 Q. Who did most of the talking during this
13 conversation, the 30-minute conversation you had?

14 A. Mr. Turner introduced Mr. Alden and
15 myself to each other, kind of started the
16 conversation off. And then Mr. Alden and I talked
17 just between the two of us for most of that 30
18 minutes or however long the phone call was.

19 And at the end, he asked Mr. Turner if
20 there was anything else that we needed to clear up
21 or if there was any other points to a conversation
22 that needed to occur. Mr. Turner said that there
23 wasn't. So the phone call ended.

24 Q. So would it be fair to characterize,
25 given what you said, Mr. Turner started the

Page 160

1 conversation off, introduced you to Mr. Alden, and
2 then let you and Mr. Alden talk for the vast --

3 A. Yes, that's correct.

4 Q. -- majority of the call, and then

5 Mr. Turner made some comments at the end?

6 A. Yes.

7 Q. You've obviously seen now what
8 Mr. Turner has said in 96-608, which is a Kentucky
9 case from the Kentucky Public Service Commission.

10 Did Mr. Turner or Mr. Alden ever tell you that

11 they were talking to you for the purpose of

12 getting information to put in a regulatory

13 proceeding here in front of Kentucky or from the

14 Federal Communications Commission?

15 A. No.

16 Q. Were you surprised to learn that your
17 conversation appeared in affidavits in front of
18 the FCC and in front of the Kentucky Public
19 Service Commission?

20 A. Yes.

21 Q. Did Mr. Turner or Mr. Alden ever talk
22 to you about the main purpose of what Albion was
23 doing -- that is, the integration of the EDI and
24 the CGI interfaces?

25 A. I mentioned that that's what we were

Page 161

1 doing at the beginning of the conversation,
2 because Mr. Alden was concerned about parsing the
3 CSR. And I told him I wanted to make it clear up
4 front that what we had done was with, you know, me
5 only working a limited amount of time on that, a
6 few days at most.

7 And it was kind of an afterthought,
8 really, to the whole project, that we were
9 originally contracted to do the pre-order CGI
10 interface integration, the firm order, PC-EDI
11 integration, and that the CSR was really something
12 that kind of came because we had a little bit of
13 time left.

14 Q. And with that explanation, did
15 Mr. Turner -- or Mr. Alden, I guess more
16 accurately, continue to talk to you for 30 minutes
17 about the CSR parsing?

18 A. Yes, that's correct.

19 Q. Did MCI ever ask Albion to assist with
20 doing any integration of the CGI interface or the
21 EDI interface?

22 A. No.

23 Q. Did they ever ask Albion to assist with
24 doing CSR parsing or customer service record
25 parsing?

Page 162

1 A. No.
2 Q. Is Albion available to MCI, AT&T or
3 Sprint or any other carrier to help with those
4 type systems or software development?
5 BY MR. BERMAN:
6 A. Yes.
7 Q. In doing the programming work that you
8 were doing, Mr. Runnels, were you attempting to
9 build an order for EDI based off of a customer
10 service record, a CSR?
11 A. No.
12 Q. You mentioned how little time it took.
13 How long did that -- the customer service record
14 parsing that you did do, how long did it take you
15 to accomplish that?
16 A. Three days.
17 Q. How much time in actual hours to do the
18 parsing that's shown on page 25 of the Albion
19 report, which is an exhibit to this deposition?
20 A. I can't say exactly for the parsing. I
21 was doing the window development, parsing and the
22 testing of that all during those three days.
23 Q. So some amount of time less than three
24 days for just the parsing piece?
25 A. Yes. Maybe just eight hours for that

Page 163

1 piece of it, for the majority of that. Obviously,
2 there was some testing that went along with that
3 to make sure it was working properly.
4 Q. Were you given instructions from
5 BellSouth how to accomplish this customer service
6 record parsing that you did do?
7 A. I asked Alexander Dizon, who was my
8 primary business contact, if there was a standard
9 format or technical specification that I could see
10 for the CSR. And he said no.
11 And I had surmised on my own what some
12 of the identifiers within the string that we got
13 back meant, such as BN for billing name or DA for
14 delivery address or something like that. And I
15 clarified that with him. He couldn't tell me
16 exactly what came back always or what didn't come
17 back always.
18 Q. He being Mr. Alex Dizon?
19 A. Yes, that's correct. And as I told you
20 before, I told him, I said, "Well, you know, what
21 level do you want me to parse this?" And he said,
22 "Well, just could do whatever you can with what
23 time you have." And that's what I did.
24 Q. The level that you're talking about,
25 Mr. Runnels, did you for Albion parse the listed

Page 164

1 name, listed address, city, state and zip code
2 from the information that you had?
3 A. That is correct.
4 Q. And would that information have
5 included the CGI specification?
6 A. Yes.
7 Q. Both of you gentlemen were asked
8 questions about a data dictionary and a CSR --
9 customer service record layout, or schemata.
10 Mr. Berman, let me start with you. I
11 think you -- if I recall correctly your testimony
12 from the earlier cross-examination, you said you
13 really weren't familiar with the data dictionary,
14 that term; is that correct?
15 BY MR. BERMAN:
16 A. That's correct. I could try to
17 remember a book definition of it from way long
18 ago, but in the types of technology we work with,
19 that's not a piece of documentation that we ever
20 work with.
21 Q. So I guess based on your lack of
22 familiarity with it, does Albion routinely use a
23 document or a guide called a data dictionary in
24 doing this job with other customers?
25 A. Not at all.

Page 165

1 Q. Did you have a data dictionary supplied
2 to you from BellSouth, either of you?
3 A. No.
4 BY MR. RUNNELS:
5 A. No.
6 Q. Did either of you have a customer
7 service record or a CSR layout, a schemata?
8 BY MR. BERMAN:
9 A. No.
10 Q. I guess in the absence of having either
11 of those, were you able to still do the CSR
12 parsing that was accomplished, without either of
13 those documents?
14 BY MR. RUNNELS:
15 A. That is correct.
16 Q. To do the EDI order that you did do,
17 did you need to do more granular -- or take it to
18 a lower level parsing of the CSR, the customer
19 service record, than you did?
20 A. The customer service record was not
21 used in any way to generate the order.
22 Q. Did I hear you earlier say you did
23 about five numbers, folks that you had had
24 authority to look at the CSRs, customer service
25 records?

Page 166

Page 168

A. That's correct.

Q. And for those five customer service records, you were able to parse those correctly?

A. To the level that is shown within the document.

Q. To the level that you did here, did the parsing work without any problems is what I'm asking.

A. Yes.

Q. And when we say shown here, I'm referring to page 25 of the exhibit attached to the Albion report. Is that the same document --

A. Yes.

Q. -- that you're referring to?

A. That's what I was talking about.

Q. I believe both you gentlemen were asked questions about CRIS, C-R-I-S, database that BellSouth has. Do either of you all know what a CRIS database is?

BY MR. BERMAN:

A. No.

Q. Do you know, Mr. Runnels?

BY MR. RUNNELS:

A. Well, we do send -- what I referred to earlier about having billing appear, billing for

Page 167

Page 169

BellSouth Communications appear on BellSouth BST invoices, they call CRIS invoicing. And in fact, I didn't even -- no one there seemed to know what CRIS stood for. I found that out today.

Q. Do you know that CRIS stands for customer record inventory or information system?

A. I know that today.

Q. Today was the first time you learned that?

A. Yes.

Q. So you didn't really use this CRIS database to do the work that Albion did for BellSouth?

A. Certainly not directly.

(A short recess was had.)

MR. ALEXANDER: That's all the questions that BellSouth has.

DEPONENT'S AFFIDAVIT

I, GREG BERMAN, the witness

herein, have read the transcript of my testimony, and the same is true and correct to the best of my knowledge. Any corrections and/or additions, if any, are listed separately.

Greg Berman

Sworn to and subscribed before me, this ____ day of _____, 19__.

(Notary Public)

My Commission Expires _____

DEPONENT'S AFFIDAVIT

I, JACK RUNNELS, the witness

herein, have read the transcript of my testimony, and the same is true and correct to the best of my knowledge. Any corrections and/or additions, if any, are listed separately.

Jack Runnels

Sworn to and subscribed before me, this ____ day of _____, 19__.

(Notary Public)

My Commission Expires _____

Page 170

1 CERTIFICATE

2 STATE OF GEORGIA,

3 COUNTY OF FULTON:

4 I do hereby certify that the above and
5 foregoing deposition was taken down, as stated in
6 the caption, and the questions and the answers
7 thereto were reduced to typewriting under my
8 direction.

9 I do further certify that the witness
10 was duly sworn by me, that the exhibits attached
11 are true and correct as furnished to me, and that
12 the foregoing 169 pages represent a true and
13 correct transcript of the evidence given by said
14 witness upon said hearing.

15 I do further certify that I am not of
16 kin or counsel to the parties to the case; am not
17 in the regular employ of counsel for any of said
18 parties; nor do I have any interest, financial or
19 otherwise, in the final result of said case.

20 This, the 17th day of August, 1998.

21
22 Carolyn J. Smith, Notary Public
23 My Commission Expires 01/04/02
24 Registered Professional Reporter
25 Registered Merit Reporter
Certified Shorthand Reporter

Certificate Number A-1361

<p>-\$-</p> <p>\$100 [1] 93:3 \$125 [2] 93:2,13 \$140,000 [1] 43:18 \$150 [1] 93:1 \$150,000 [4] 23:15,16,18 93:8 \$20,000 [4] 93:6 143:5,11 145:21 \$200 [1] 92:25</p> <p>-!-</p> <p>'91 [1] 9:13</p> <p>-/-</p> <p>// [6] 56:25 73:25 74:25 87:25 97:25 148:25</p> <p>-0-</p> <p>01/04/02 [1] 170:23</p> <p>-1-</p> <p>1 [17] 9:25 21:22 22:1 32:11,19 35:20 43:2,7 44:7 127:10 143:6 143:22 144:9 145:7,22 149:13 154:23 10 [8] 65:2 71:17 108:24 109:9 109:19 110:2 118:6 154:23 11th [2] 117:23 118:5 12 [1] 108:22 120,000 [1] 92:19 120,675 [1] 145:22 125 [1] 93:11 12th [3] 117:21,24 118:2 140 [1] 93:5 140,000 [1] 92:18 15 [2] 120:18,20 16 [4] 117:14,16 134:2,24 160 [1] 93:10 169 [1] 170:12 17 [1] 120:12 17th [1] 170:20 19 [5] 143:5,11 145:20 168:11 169:11 1988 [2] 9:6 10:4 1991 [1] 9:8 1996 [2] 9:25 10:13 1997 [2] 9:20 11:1 1998 [10] 11:3 19:25 24:5 134:20 143:7 144:10,11 149:16,25 170:20 19th [1] 134:20 1st [1] 49:2</p> <p>-2-</p> <p>2 [8] 22:4 25:5 97:7 128:12 132:11 138:9 151:17,19 2.0 [4] 101:13,17,18 147:6</p>	<p>2.1 [5] 36:23 100:8 101:5,14 147:6 20 [1] 67:5 200 [1] 28:6 24 [2] 148:23 154:13 24th [4] 43:11 100:16,17 144:10 25 [7] 55:14 67:16 70:17 118:18 148:23 162:18 166:11</p> <p>-3-</p> <p>3 [3] 98:22 132:14 149:12 30 [6] 24:7 149:16 154:14 158:13 159:17 161:16 30-minute [1] 159:13 30th [32] 19:25 24:4 41:21,22 41:24,25 42:2 43:3,11,15 45:8 45:9,14,16,21,23 46:1,24 47:5 47:8 84:19 85:16 93:6 94:25 95:1,8,18,23 100:16 143:7 144:11 149:25 3822 [2] 72:24 74:3</p> <p>-4-</p> <p>4 [5] 21:12 22:5 52:6 103:7 131:5 40-hour [2] 93:15,18</p> <p>-5-</p> <p>5 [2] 47:22 154:23 50 [1] 93:19 50/50 [2] 41:3,7</p> <p>-6-</p> <p>6 [1] 48:7 60 [1] 98:12</p> <p>-7-</p> <p>75 [2] 102:9 149:6</p> <p>-8-</p> <p>8 [4] 53:20 58:21,25 95:16 80 [2] 54:19,20 837 [1] 44:25 850 [2] 25:24 26:4</p> <p>-9-</p> <p>95,000 [1] 31:24 96-608 [4] 21:10 134:7,21 160:8 99-point-something [1] 142:22</p> <p>-A-</p> <p>A&M [1] 10:12 A-1361 [1] 170:25 A-l-d-e-n [1] 155:18 abbreviated [1] 64:18 abbreviation [1] 84:6 ability [5] 22:9 63:17 69:12 80:20 88:3</p>	<p>absence [1] 165:10 absolutely [1] 50:9 accept [1] 134:3 acceptance [8] 42:7,9 45:17 86:4 140:22 141:7 143:18 146:4 access [13] 15:16 35:12 74:16 74:20 75:11 76:1 83:25 84:11 96:9 98:19 100:12 135:6 148:17 accessing [1] 34:10 accomplish [5] 89:15 97:11 155:12 162:15 163:5 accomplished [2] 144:12 165:12 according [1] 114:20 account [2] 85:24 118:9 accounting [1] 27:1 accounts [2] 17:2 73:9 accurate [4] 95:6 145:24 147:10 149:14 accurately [3] 74:14 99:11 161:16 achieve [1] 94:14 acted [1] 76:24 acting [1] 17:20 activities [1] 150:21 actual [20] 19:24 35:5 40:2 58:19 62:7,8,9,16 68:21 69:23 77:6 90:3 103:2,5 106:2 123:8 139:7 149:4 156:8 162:17 ad hoc [1] 126:5 add-on [1] 95:12 added [3] 45:23 132:12 143:7 adding [1] 116:24 addition [1] 140:8 additional [7] 81:6 111:20 143:5,10,21 146:8,16 additionally [1] 26:15 additions [2] 168:5 169:5 addresses [7] 29:13 62:12 68:22 118:21 125:13,16,19 administrative [8] 17:12,19 18:17,21 19:12,14,16 26:21 administrator [1] 73:4 affected [3] 101:9 147:17,24 affidavit [10] 132:17 133:24 134:2,11,17,18,25 135:1 139:17 139:22 affidavits [1] 160:17 affiliated [2] 131:18 152:17 affirmatively [5] 24:23 27:18 101:25 135:22 154:25 afternoon [3] 127:1,4 139:20 afterthought [1] 161:7 agree [10] 28:8 45:5 53:8 54:17 54:22 55:1,10 74:13,18 106:21 agreement [1] 22:25 ahead [5] 61:8 71:21 98:10 124:25 157:3 ahold [1] 156:3 Alabama [1] 29:15 Albion's [5] 14:20 23:20 146:1</p>	<p>152:23 153:13 Alden [16] 78:8 79:10 83:3 155:18 158:10,20 159:5,6,14,16 160:1,2,10,21 161:2,15 Alex [34] 20:12 36:2,3 37:6,11 38:5,7 40:22 46:22,24 60:21 86:11,11 90:21 91:14,21 97:24 106:9 114:20 118:20,20 123:10 130:7,7,12,13,24 133:1,2 136:1 136:3,4 147:21 163:18 Alexander [33] 21:14,20 36:7 44:22 46:3,6 51:5,13,15 71:13 84:25 85:5,11 113:5 117:14 119:7,11,16 120:3 121:15 126:23 127:6 132:9 134:4,10 137:11 139:23 140:2 141:15,19 141:20 163:7 167:16 allotted [1] 60:9 allow [4] 49:5,14 84:13 98:18 allowed [1] 51:1 allows [1] 53:6 along [9] 28:5 46:18 67:6 82:19 91:13 98:3 102:2 157:25 163:2 alternative [2] 50:14,15 amount [11] 23:21,23 24:1 60:9 102:10 142:3 145:20,21 149:9 161:5 162:23 amounts [1] 133:22 analysis [1] 10:14 ANSI [1] 25:23 answer [24] 13:20 20:4,7,9 24:3 29:9 31:6,9 33:25 36:12 40:25 51:2,18 70:10,13 72:18,21 87:23 89:16 92:9 103:25 113:6 131:15 139:23 answered [8] 36:5 51:6,10,16 119:18,20 137:9,12 answers [2] 136:12 170:6 anyway [2] 101:9 103:6 apart [1] 73:12 API [1] 15:19 apologize [2] 23:10 120:2 apparent [3] 19:15,16 77:15 appear [9] 57:10 64:2 67:1 88:10 150:3,4,10 166:25 167:1 appearance [1] 139:12 appeared [1] 160:17 applications [5] 13:10 27:23 27:24 28:19 137:8 appreciate [1] 90:8 approach [1] 22:7 April [40] 19:25 24:4,7 41:21 41:22,24,25 42:2 43:3,11,15 45:8,9,14,16,21,23 46:1 47:5,8 84:19 85:16 93:6 94:25 95:1,8 95:18,23 100:16 117:21,23,24 118:2,5,6 143:7 144:11 149:16 149:25 154:14 architect [5] 32:17,20 92:25 93:25 127:11 architecture [2] 17:6 32:24 area [2] 59:4 97:16 areas [3] 58:22,22 59:2</p>
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na [1] 87:20
ears [1] 146:12
ks [1] 8:14
ects [1] 123:17
essment [1] 53:8
igned [2] 38:6,22
ignment [10] 14:20 15:1,6,8
15:10 16:12,13,18 18:12,23 19:1
15:1,7,8,12,14
sist [3] 155:4 161:19,23
ociated [5] 56:3 64:21
08:11,12 110:18
sume [6] 23:16 66:23 71:25
17:24 121:4 152:20
sumed [2] 117:3 158:24
suming [3] 101:17,18 121:2
T&T [8] 86:20 147:4 153:19
14:4,8 157:7,18 158:1 162:2
kinson [10] 127:1,2,9 132:15
14:8,14 137:17 140:6 141:10
141:12
lanta [5] 9:24 12:7 56:2,5
12:12
lantic [1] 152:2
ached [2] 166:11 170:10
empt [7] 34:20 53:11 60:4
12:17,23 66:2 133:10
empted [2] 83:14 147:4
empting [2] 63:2 162:8
ending [1] 157:25
ention [4] 127:15 128:11
134:23 138:8
orney [1] 8:13
orneys [3] 139:13 144:16
154:9
tribute [1] 73:20
tributes [1] 107:20
tribution [1] 25:16
burn [1] 9:5
dit [1] 42:24
ditor [5] 42:14,16,17 45:17
146:3
ditors [1] 143:13
gust [1] 170:20
thority [1] 165:24
thorized [2] 57:19,25
tomatically [2] 68:16 69:2
ailability [2] 19:5 116:7
ailable [38] 30:2 49:11,21
10:1,7,12,14,17,22,24 51:4,9
11:10,22,25 52:2 57:3 77:14
11:17 98:17,21 105:8 109:23
110:23 112:10 114:10 117:20
117:22 118:5 124:21 125:8
133:9,17,20 137:14 139:24
153:3 162:2

-B-

-1 [1] 82:1
-2 [1] 82:2
e-l-l-C-o-r-e [1] 153:11

BA [2] 75:21 81:18
BA-1 [1] 75:23
BA-2 [1] 75:24
BA-3 [1] 75:24
back-end [3] 33:7 70:25 130:2
background [5] 8:25 9:2,3,14
10:10
ballpark [2] 92:22 93:5
bar [3] 109:2,2,3
base [3] 112:11 138:13,16
based [21] 23:21,22 27:25 31:20
49:6 62:25 69:19 71:2,9,14 89:5
91:12,14 102:13 124:3,11
138:22,24 146:13 162:9 164:21
basis [1] 74:15
became [3] 13:23,24 19:14
become [1] 13:21
becomes [1] 104:7
becoming [1] 36:21
began [2] 12:18 100:18
begin [2] 100:10 144:25
beginning [2] 67:19 161:1
behalf [1] 127:2
behind [5] 80:21 98:13 107:16
130:2 134:15
BellCore [1] 153:10
BellSouth's [8] 15:15 48:20
83:25 106:11 114:21 115:6
123:8 128:14
below [3] 57:10 65:15 118:10
better [3] 58:18 73:13 126:5
Betts [8] 39:13,20,22 40:2,6,23
66:12 136:11
Betts's [1] 39:23
between [13] 14:7 26:17 41:1
43:12 45:2 85:2 88:21 93:2
103:22 104:17 135:20 143:5
159:17
beyond [2] 55:11 111:19
bigger [1] 99:9
bill [3] 88:5 127:2 134:7
billed [1] 88:4
billing [19] 13:11 27:2 59:7
61:12 67:22,23 69:11 75:18,20
75:20,22 81:16,17 87:19 93:11
93:13 163:13 166:25,25
block [8] 58:11,13 60:2,5,20
62:1 65:10 66:4
blocks [11] 55:23 58:10,10 59:14
60:11 62:12,18 63:21,22 67:15
83:4
BN [4] 67:22,23 75:19 163:13
book [1] 164:17
borrow [1] 140:1
Boston [1] 12:8
bottom [4] 21:16 59:8,9 130:20
boxes [2] 55:18 57:8
Bradbury [1] 158:1
Brannon [2] 9:23 10:1
break [8] 55:2 62:22,23 67:25
73:17,18 74:9 136:24

breaks [1] 86:14
brief [1] 76:17
briefly [2] 52:18 131:23
bring [1] 33:22
brings [2] 12:14 75:15
broken [13] 33:2 56:4 58:6
60:12 69:20 71:5,11 72:16,23
73:11,14 93:2 110:13
browser [11] 80:19 96:22
103:11,14,16,17 104:5,10,15,22
123:3
BST [4] 23:25 25:25 26:18 167:1
BST's [1] 25:9
budget [3] 23:7,12,14
bugs [4] 84:18 85:18,21 144:19
build [2] 139:1 162:9
building [1] 35:13
built [3] 16:23 104:13 138:18
business [28] 10:14 11:10 12:1
20:12 24:17,20,25 25:8,10 28:14
28:23 36:14 46:20 66:5 86:7
97:9,12,12,16,19 128:13,15
129:17,18,22 130:23 136:4
163:8
button [5] 57:11,14,16 110:10
111:25

-C-

CERTIFICATE [1]
170:1
c-o-n-c-a-t-e-n-a-t-e-d [1]
121:13
C-R-I-S [1] 166:17
calculate [4] 48:1 49:9,11 50:20
calculation [2] 48:9 117:7
calendar [3] 47:23 48:1 49:8
California [1] 153:1
Callie [2] 60:21 118:20
calls [23] 34:3,5,8,13,15,18 35:2
40:8 70:19 78:7 79:14,20,25
96:4 104:3 111:4,20 112:11
114:4 135:16,19 155:22 156:18
cannot [6] 20:4 28:20 29:1
36:15 84:4 92:9
capability [1] 114:2
capable [5] 77:17 89:2,3 94:18
94:18
caption [1] 170:6
card [2] 36:14 153:19
care [1] 81:16
Carol [6] 38:2 39:15,16,18
82:22 136:12
Carolyn [1] 170:22
carrier [2] 115:9 162:3
carriers [11] 26:23,23 91:18,21
114:11,12 124:22 125:8 153:14
154:4,9
carry [2] 16:17 69:7
case [11] 21:10 67:7 68:10
108:18 134:20,21 136:11 138:19
160:9 170:16,19
cases [7] 40:7,14 56:4 82:17,23

136:3,15
categories [1] 141:2
categorize [1] 145:20
centered [1] 30:7
central [10] 123:25 124:1,7,7
124:15,18,19,22,23 125:8
certain [28] 17:24 38:15 40:14
40:15,16 58:16 61:9 67:9,10,13
68:25,25 82:18,19,19 89:3 90:23
91:19 96:2,6,7 100:5 102:25
111:14 113:10 114:23,25 156:4
Certainly [1] 167:14
certainty [2] 49:25 50:10
Certificate [1] 170:25
Certified [1] 170:24
certify [3] 170:4,9,15
chance [1] 92:8
change [7] 22:16 43:19 69:12
84:9 100:3 129:6 147:22
changed [3] 101:7,8 147:16
changes [2] 116:4 147:25
changing [1] 85:3
characterize [3] 126:8 153:20
159:24
characters [10] 54:19,20,23
55:12 65:2 67:4,11 71:6,12
72:17
charge [6] 31:17,21 32:1 43:14
136:13 140:4
charged [2] 43:17 92:24
check [3] 59:17 123:1 134:3
checked [1] 137:13
checking [1] 138:24
children [2] 86:21,23
choose [2] 114:23 125:5
choosing [1] 109:17
Christopher [1] 42:21
chronologically [1] 77:21
Chu [1] 37:11
circumstances [1] 80:7
city [10] 55:24 56:2,3,15 64:7,8
64:23 121:9 122:9 164:1
clarification [5] 46:4 87:4
90:18 123:2 135:16
clarified [1] 163:15
clarify [3] 18:16 128:24 134:4
clarifying [1] 135:19
clarity [1] 130:11
class [2] 16:25 30:17
classes [2] 138:20 139:4
cleanup [1] 144:20
clear [11] 8:14,16 45:15 56:17
57:17 71:19 80:4 127:12 146:7
159:20 161:3
clearly [1] 51:8
CLEC [41] 17:20,23 26:24
46:19 48:9 54:8 90:20,22 91:4
91:11,22 97:18 98:6,12 109:15
109:16 112:5,6,9 113:15,25
114:15 115:4,10,13,17 116:10
116:13,13 129:1,1,4 130:19

132:24 133:4,5 136:7 146:25 148:5,10,13 CLEC's [2] 34:21 115:12 CLECs [23] 18:3 29:21 30:2,25 91:15,16 114:20 115:1 132:4 133:7,17 135:3 136:18,19,20,21 137:3,4,14,20 138:2 156:14 157:18 Clemmons [2] 156:22,23 click [5] 57:16 112:19 114:7,8 115:2 clicking [1] 112:13 client [4] 17:5,5 32:6 36:1 client's [1] 153:13 client-by-client [1] 89:6 clients [5] 73:9,16 89:13 144:23 153:8 closed [1] 110:16 co-project [1] 36:3 code [40] 29:20 30:1,6,25 33:17 34:6,7 35:8,11,11,12,14 39:4 65:1 67:25 77:6,8 80:21,23 81:4 82:25 96:10,11,21,24 98:19 100:21,22 101:1 121:9 142:7,10 142:14,18,21,22 149:15,17,24 164:1 coded [1] 91:20 coding [1] 101:9 collectively [1] 79:15 column [3] 72:24,25 74:5 columns [3] 73:5,5 74:6 combination [1] 32:14 combined [1] 121:18 comments [2] 129:12 160:5 commercial [5] 27:6,9,13,17 88:22 commercially [3] 28:9 98:17 139:24 Commission [6] 160:9,14,19 168:13 169:13 170:23 common [6] 85:20 98:19,19,19 110:10 111:8 communicate [2] 72:13 104:22 communicated [5] 25:22 38:20 65:20 79:10,11 communicating [1] 78:23 Communication [2] 12:23 88:6 Communications [4] 127:3 152:6 160:14 167:1 companies [4] 151:21 152:1 153:3,7 company [6] 9:18 14:19 22:21 127:3 152:7,17 comparing [1] 102:5 comparison [1] 154:21 complaints [2] 91:14 114:19 complete [5] 43:13 96:3,4 123:1 154:13 completed [18] 29:16 42:8 44:3 44:13,14 45:22 94:24 95:1,7,17 102:8 131:8 140:18,24 141:3,4 144:8,11 completely [4] 68:2,3,4 95:6 completing [3] 41:14 43:23 105:18 completion [1] 42:2 complex [1] 154:22 complicated [1] 154:19 component [4] 35:14 130:3 151:13,14 components [10] 16:25 22:8 28:1 30:18 33:24 73:24 89:8 102:14 138:12,25 computer [4] 10:6 11:13,21 71:24 computers [1] 9:11 concatenated [2] 121:12 150:15 concerned [2] 147:23 161:2 concerning [2] 143:3,18 conclusion [1] 114:18 conference [2] 78:13 156:1 confirmation [1] 108:14 confusing [1] 104:16 connection [9] 32:8 38:25 39:1 55:7 78:1 132:17 136:22 137:20 140:23 consideration [1] 123:16 considered [2] 139:4 144:20 consistently [2] 59:21 74:14 constantly [1] 22:10 construct [2] 112:21 155:7 constructing [1] 123:22 consult [4] 136:18,21 137:19,20 consultant [5] 22:20 32:15 42:22 43:22 159:10 consultants [4] 41:3 45:1 93:2 93:17 consulted [2] 133:7 137:3 consulting [4] 9:17 12:4 98:11 153:19 contact [7] 38:1,8 39:17,20 136:4,8 163:8 contacted [3] 13:16 137:3 147:21 contacts [4] 27:3 37:3,10 38:22 context [2] 85:6 146:23 continue [2] 105:11 161:16 continued [2] 41:23,25 contract [3] 20:12 22:19,22 contracted [7] 26:23 42:23 46:16 100:17 112:4 157:19 161:9 control [5] 112:14,15,19 114:7 114:8 conversation [15] 78:11,12 85:2 132:8 155:17 158:8,9,14 159:13,13,16,21 160:1,17 161:1 converted [1] 69:17 converting [1] 13:7 converts [1] 131:8 conveyed [1] 76:3 Copious [1] 133:22 copy [5] 58:18 102:18 103:1,3 119:8 corner [1] 55:18 corporate [2] 10:22 12:6 corrections [4] 22:12,13 168:5 169:5 correctly [3] 129:11 164:11 166:3 cost [2] 92:14 93:8 costs [1] 13:11 counsel [6] 8:19,22 134:25 147:4 170:16,17 COUNTY [1] 170:3 couple [6] 8:9 40:14 42:3 47:19 56:13 82:23 course [2] 22:12 133:8 Court [1] 74:3 cover [1] 24:1 coworkers [1] 72:7 create [3] 55:9 121:5 130:21 created [4] 35:1 70:10 77:4 104:14 CRIS [8] 70:20 74:16 166:17,19 167:2,4,5,11 cross [1] 143:2 cross-examination [1] 164:12 crosses [1] 88:2 crossing [1] 71:17 CSRs [13] 17:13 18:21 52:5 62:14 68:9 77:10,17 81:7 83:11 83:14 145:7 155:12 165:24 current [2] 31:13 83:10 curve [1] 98:10 custom [2] 110:4,12 customer [23] 54:10,12 60:25 110:15 115:19 116:24 117:4,4 149:10 155:1,5,11 161:24 162:9 162:13 163:5 164:9 165:6,18,20 165:24 166:2 167:6 customer's [1] 126:17 customers [3] 28:14 88:3 164:24 customizable [1] 130:19 customizing [1] 130:25 cut [2] 21:16 126:3 cycle [1] 22:11 -D- D'Cruz [2] 8:22 95:9 D-i-z-o-n [1] 20:13 D.C [1] 12:8 DA [1] 163:13 Dallas [5] 9:8,16,18 10:4 12:7 Danvers [1] 152:3 dash [1] 63:12 data [36] 20:3 25:16 52:15,19 54:14,15,17 55:2,3 58:6 59:16 60:12 62:18 63:2 65:16,19 68:5 70:16 74:14 75:16 79:7,23 80:1 82:3 83:4 96:20,21,21 111:3 112:11 122:11,21 164:8,13,23 165:1 database [40] 18:3,8 26:23 34:11 70:20 71:3,10 72:1,9,12 72:14,15 73:4,22 74:5,6,16,17 74:20,23 75:11 76:2,5 83:5,6 83:25 84:11 91:12,23 104:12 113:11,18,23 114:15 115:12 124:17 125:7 166:17,19 167:12 databases [2] 71:25 98:20 date [46] 24:11 41:10 46:24 48:1 48:8,10,11,18,18,23 49:1,5,10 49:11,13,19,21 50:1,4,5,7,11 50:12,24 51:10 77:12 95:6 99:25 r00:6,19 102:25,25 117:7,9,18 117:20,22,24 118:2,5,7,15 143:8 144:25 145:1 154:14 dates [16] 43:13 47:20 50:14,15 50:15,16,17,17,22 51:1,4,9,22 51:25 52:2 117:18 deadline [3] 24:4,6,10 deal [5] 13:2 31:1 64:14 67:5 123:20 dealing [1] 156:6 dealt [1] 71:24 December [1] 49:2 decided [4] 112:5,9 115:3 130:18 decision [2] 109:16 111:24 decisions [1] 90:24 default [1] 50:11 defaulted [4] 50:1,2,6 125:24 defer [1] 20:5 define [1] 65:25 definite [1] 67:8 definition [2] 95:10 164:17 degree [5] 9:5,7 10:13 59:25 154:20 delay [1] 108:15 delimited [1] 67:9 delineates [1] 84:5 delivery [5] 22:8 59:6 61:12 69:10 163:14 depend [1] 73:2 depending [2] 81:2 156:9 DEPONENT'S AFFIDAVIT [2] 168:1 169:1 deposed [1] 141:23 deposition [9] 8:4 21:22 32:11 51:13 85:12 152:13 157:25 162:19 170:5 depositions [1] 139:19 describe [6] 14:6 30:4 102:3 145:15,16 154:18 described [6] 22:15 35:19 47:21 75:13 82:11 95:17 describing [1] 75:17 description [3] 32:20 35:20 94:1 design [5] 27:22 32:23 33:1 73:4 138:2 designed [4] 91:3,3 111:21 148:3

irable [1] 113:1
sired [2] 50:6 117:17
ail [8] 13:2 70:10,13 81:3,8
0:4,11 121:5
ailed [1] 77:16
ails [4] 21:1 33:5 40:1 97:1
erminate [7] 14:25 15:4,7
13 48:10 49:1 124:14
etermined [7] 49:6 52:1 57:25
2:21 107:23 109:14 143:5
etermining [1] 90:3
velop [18] 13:9 17:7,23 18:11
16 25:3 27:6,22 28:12,18,22
25 53:12 98:16 102:10
6:20 137:7 157:20
veloped [7] 14:4 28:4 29:21
0:1 68:9 96:12 129:19
veloper [12] 39:15 40:2 72:6
11,14,15,20 156:4 158:19,19
9:5,6
velopers [3] 83:17,18 86:5
veloping [7] 16:18 17:22
6 101:1 128:25 146:25
9:20
velopment [37] 16:11 19:25
2:7,10,11 24:8 30:18 85:9 92:4
2:5 98:8,15 100:4,21,22 102:5
2:7 132:4 133:10 138:9,12,13
8:16,17,23 139:7 149:15,25
1:10,17,22 152:18,19,22
3:15 162:4,21
grams [1] 103:21
tionary [7] 82:3 122:12,22
4:8,13,23 165:1
fference [3] 103:22 104:17
5:5
fferent [17] 31:19 58:22 73:9
10,24 83:2 88:15,16 107:15
10:12 111:4 118:21 120:17
8:10 147:12 148:12 156:6
fferently [1] 145:8
fficult [1] 65:5
fficulty [4] 63:1 64:14 154:20
4:24
rect [21] 8:24 13:15 16:17 22:4
9:24 49:11 51:17 55:16 74:15
1:20 76:1 83:25 84:11 128:11
9:15 132:13 134:23 138:8
9:9 140:7 155:3
rected [3] 14:14 17:7 135:9
recting [3] 18:14 90:5 148:20
rection [1] 170:8
rectional [1] 75:25
rectionality [3] 61:21 64:21
10
rectly [6] 10:18 53:24 54:2
16:14 136:16 167:14
rectories [1] 61:13
rectory [12] 58:13 59:4,6 62:6
2:9,15 63:23 64:1 72:23 118:23
19:6,24
abled [1] 109:6
crepancy [1] 27:19
cuss [6] 39:22 53:22 77:10

90:13 131:23 140:19
discussed [10] 14:8 16:2,9
33:21 40:6 48:7 127:10 140:14
141:7 156:8
discussing [2] 134:18 152:12
discussion [15] 17:21 21:21
30:4,7 51:19 84:15 86:17 88:18
93:24 126:25 127:7,13 140:5
141:11,14
discussions [2] 30:14 31:10
display [3] 58:7 111:14,16
displayed [5] 52:1 59:2 107:8
111:13 150:23
displays [2] 108:24 110:1
distance [2] 114:12 115:8
distinction [1] 88:21
distinguish [1] 79:13
divided [2] 45:2 59:15
division [1] 41:1
Dizon [28] 20:13,21 36:2,17
37:6,11 40:22 60:21 91:14 97:24
106:9 114:20 118:19,20 123:11
130:12,13,14,24 133:1,2 136:2
140:23 141:7 147:21 148:15
163:7,18
document [13] 57:13 67:18
95:22 131:8 135:15,23 143:22
144:9 146:11,14 164:23 166:5
166:12
documentation [18] 41:15 42:2
43:23,23 44:1,4 76:25 77:4
92:14 97:3,5 143:23 144:2
146:22 147:3 148:1,6 164:19
documents [19] 26:8,9,11 89:23
98:23 99:7,9,13,16,21 101:12
101:22 134:6 135:17,17 147:5
147:12 148:18 165:13
domain [2] 97:16 128:21
Douglas [7] 38:2,9 39:8,15,16
39:23 136:12
draft [2] 103:1,5
drafted [1] 32:10
drafting [1] 35:6
draw [1] 103:19
drawdown [1] 43:21
drives [1] 125:20
drop-down [5] 56:19 63:11
112:14,16 114:9
dropped [1] 45:10
due [19] 39:3 47:20 48:1,8,9,11
48:18,18 49:9,11 50:4,5 51:4
51:22,25 117:7,17 118:7 146:14
duly [1] 170:10
during [12] 19:15 38:7 57:22
79:19,20 100:3 105:14 133:7
143:1 144:12 159:12 162:22

-E-

E-mailed [2] 103:1,3
easier [2] 79:14 86:25
easily [1] 52:1
easy [1] 102:3

EDI [30] 14:22 25:24 26:4 35:13
61:2,18 68:16 69:17,20,20,24
70:15 102:12 105:17,18,21
120:8 121:3,5,19,23 123:9 131:8
149:5 154:6 155:8 160:23
161:21 162:9 165:16
EDI-PC [6] 46:18 91:9 105:22
131:10 135:5,6
education [1] 10:16
educational [3] 9:1,3 10:10
effect [1] 83:23
effectively [11] 19:9 27:23 28:3
28:5 30:21 33:2 36:3 44:3 130:1
138:17,22
efficient [1] 50:25
effort [3] 19:25 22:11 153:22
eight [1] 162:25
elaborate [2] 25:12 35:21
electronically [1] 155:7
elements [2] 58:6,8
employ [1] 170:17
employees [3] 12:9 143:17,18
employment [1] 9:14
enabled [3] 35:2 67:14 107:12
ended [3] 19:25 47:3 159:23
engagement [6] 12:13 13:13
14:7,9 22:18,21
enter [10] 48:9,18,18 50:5 56:18
56:21,24 104:5 108:4 125:2
enterable [1] 57:2
entered [6] 63:7,16 69:15 77:1
104:7,11
entering [4] 18:7 64:4 106:13
121:18
enters [1] 56:10
entities [1] 131:18
entry [5] 13:11 65:11 123:5
127:10,17
environment [12] 13:9 30:19
92:4,6 138:10,18,23,23,24 139:7
151:18 152:23
equipment [3] 59:11 88:4,9
Ernst [2] 42:23 143:13
error [1] 85:23
errors [1] 39:4
especially [1] 112:3
essentially [10] 46:21 79:16
80:24 82:16 83:20 88:10 96:16
104:3 110:13 111:9
establishing [2] 38:24,25
estimate [4] 23:22 28:17,24
101:3
etc [5] 52:23 68:22 83:8 97:20
149:25
evenly [1] 45:2
everybody [2] 84:10,12
evidence [1] 170:13
evolve [2] 18:13,23
evolved [1] 18:25
exactly [12] 23:19 47:12 54:8
61:3,14 72:12 88:20 119:2 135:2
138:15 162:20 163:16

EXAMINATION [3] 86:18
127:8 141:18
example [21] 29:5,7 56:5 60:19
61:6,17 63:9,23 64:7,13 67:2
67:22 72:23 75:18 81:15,22 82:1
108:12 117:21 151:7 152:17
examples [2] 150:24 152:15
exceed [1] 94:2
except [2] 22:16 149:17
exception [1] 85:23
excerpt [2] 129:14,16
exclusive [2] 99:1,15
excuse [1] 62:13
executive [2] 87:5 145:6
exhibit [7] 21:9,22 22:1 32:11
44:7 162:19 166:11
exhibits [1] 170:10
exist [1] 154:2
existing [3] 28:14 52:25 54:9
expect [4] 63:1 66:25 70:15 71:3
expectation [1] 52:24
expectations [1] 130:23
expected [1] 90:13
expense [3] 28:18,24 91:24
expenses [1] 143:24
experience [14] 10:3,5 11:9,10
11:17 62:25 69:19 71:2,9,15,20
73:11 128:20 154:17
experienced [1] 33:19
Expires [3] 168:13 169:13
170:23
explain [8] 15:17 27:19 32:25
52:18 86:22 88:23 105:5 129:9
explained [2] 8:3 139:15
explanation [1] 161:14
Explorer [1] 80:20
extent [5] 35:5 53:23 67:24 87:3
95:21
external [1] 26:17
extra [1] 21:19
extremely [1] 154:19
eyes [1] 158:2

-F-

fact [11] 22:2 77:24 79:11,25
101:7 108:19 110:21 122:6
144:25 147:15 167:2
fairly [1] 76:17
falls [1] 116:12
familiar [11] 40:3 53:21 61:1,3
61:5,16 66:5 106:15 120:10
132:16 164:13
familiarity [1] 164:22
familiarize [1] 128:22
family [1] 93:23
fashion [1] 72:8
fast [1] 94:21
FCC [2] 134:6 160:18
feature [10] 108:21 110:3,15,16
111:1,5,8,14 112:13 118:12

<p>featured [1] 110:10</p> <p>features [19] 19:4 96:13,15 106:25 107:4 108:16 109:20,22 110:7,18 112:6,10 113:10 123:23,24 124:6,8,17 151:5</p> <p>February [8] 11:1,3 13:24 43:11 100:16,17 144:10 154:13</p> <p>Federal [1] 160:14</p> <p>fee [1] 43:20</p> <p>feed [1] 88:9</p> <p>fees [1] 43:21</p> <p>felt [1] 68:3</p> <p>few [13] 8:24 13:12 20:16,17,19 46:8 47:2 80:5,6 84:18 113:2 127:3 161:6</p> <p>FIDS [1] 65:23</p> <p>field [16] 50:4,4,6 56:1 57:2,6 60:16 65:22 74:7,7,15,15 83:24 83:24 119:2 121:19</p> <p>fields [20] 60:12,14,22 61:1,4 61:19 63:7,19,20 67:9 69:3,11 69:21,23 71:5,11 72:16 83:5 104:6 126:1</p> <p>figure [3] 25:17 100:23 121:22</p> <p>figured [1] 93:19</p> <p>file [6] 35:13 70:9,12 105:19,22 106:9</p> <p>filed [2] 134:20 139:17</p> <p>files [2] 123:10,15</p> <p>fill [3] 68:4 125:25,25</p> <p>filled [1] 57:9</p> <p>filling [1] 62:12</p> <p>final [3] 139:1 141:13 170:19</p> <p>finally [3] 26:14 140:13,14</p> <p>financial [1] 170:18</p> <p>fine [3] 100:25 119:16 120:3</p> <p>finer [2] 62:18 65:6</p> <p>finish [1] 113:5</p> <p>finished [5] 19:10 24:8 42:4 47:10,13</p> <p>firm [22] 19:7 33:4 46:18 48:6 68:23 69:3,7,14 91:8 105:12,15 114:21 116:16 117:9 120:13,13 120:16,17,18,25 130:9 161:10</p> <p>firms [1] 98:11</p> <p>five [11] 59:23 65:1 101:6 102:1 110:10 111:7,19,22,25 165:23 166:2</p> <p>fix [1] 86:14</p> <p>flat [2] 105:18,22</p> <p>flip [1] 53:7</p> <p>Florida [4] 29:15 56:15,16,16</p> <p>flow [1] 33:3</p> <p>flying [1] 93:21</p> <p>folder [1] 107:8</p> <p>folks [1] 165:23</p> <p>follow [3] 54:5 95:14 155:15</p> <p>follow-up [2] 84:16 145:1</p> <p>following [3] 48:7 98:22 109:21</p> <p>foregoing [2] 170:5,12</p> <p>form [6] 58:5 63:7,8 77:3 83:10</p>	<p>121:4</p> <p>formal [2] 89:23 91:2</p> <p>format [11] 64:10 72:9 75:5,16 81:9 96:7 110:14,14 111:13 135:15 163:9</p> <p>formatting [3] 44:19 92:16,17</p> <p>formulation [1] 14:8</p> <p>Forte [12] 13:8 92:5 139:8 152:20,22,22,25 153:6,8,9,10 153:11</p> <p>forth [5] 22:24 69:22 94:2 127:16,19</p> <p>found [2] 19:19 167:4</p> <p>foundation [1] 71:14</p> <p>four [16] 58:22,22 59:2,23 63:20 93:12 101:6,21,22,23 102:1 145:22,25 147:5,11 148:23</p> <p>frame [4] 41:7,9 144:13 154:14</p> <p>framework [7] 30:17 33:21 36:1 98:9 102:14 139:3 151:16</p> <p>free [4] 8:15 63:7,8 129:8</p> <p>front [7] 21:5 37:9 81:18 160:13 160:17,18 161:4</p> <p>fruition [1] 131:25</p> <p>full [4] 17:5 28:6 93:14 114:2</p> <p>full-time [1] 90:1</p> <p>FULTON [1] 170:3</p> <p>function [7] 44:20 52:8,11 95:16 106:24 108:8,17</p> <p>functionalities [1] 47:21</p> <p>functionality [15] 19:5 25:14 33:5 40:16 45:22 46:15,20 53:22 96:3,4,25 113:16 144:12 150:17 153:25</p> <p>functionally [1] 25:21</p> <p>functions [7] 17:11 18:12,19 97:12 112:10 123:4 154:10</p> <p>furnished [6] 132:3,4 136:19 137:4 146:22 170:11</p> <p>future [1] 129:12</p>	<p>84:2,3 94:5,6,19 130:24 131:24 135:2 147:17 159:25 163:4 170:13</p> <p>gone [2] 86:24 147:22</p> <p>good [2] 113:19 127:1</p> <p>graduated [1] 10:12</p> <p>granular [4] 72:5,8 83:19 165:17</p> <p>granularity [5] 59:22 62:19 65:7 68:10 74:9</p> <p>great [2] 13:2 21:20</p> <p>greater [1] 74:8</p> <p>Green [2] 72:25 74:3</p> <p>Greg [3] 140:11 168:2,8</p> <p>ground [1] 8:9</p> <p>group [5] 37:17,22 73:15 110:15 111:14</p> <p>groupings [1] 110:12</p> <p>groups [5] 110:3,11,17 111:8 112:13</p> <p>guarantee [2] 80:7 122:1</p> <p>guessing [1] 64:11</p> <p>guide [3] 26:3 100:9 164:23</p> <p>guys [2] 130:1 146:23</p>	<p>history [1] 27:25</p> <p>hit [1] 116:11</p> <p>holding [1] 112:15</p> <p>Hopkins [13] 58:20 86:19,20 95:13 117:15 119:9,14,19,22 120:1,6 121:20 126:21</p> <p>hour [6] 92:25 93:1,2,3,11,13</p> <p>hourly [1] 92:23</p> <p>hours [13] 41:20 43:1,5,6,9,10 43:12 44:25 93:7,10 142:25 162:17,25</p> <p>house [2] 116:25 153:6</p> <p>HTML [12] 25:23 58:5 60:24 67:17,18 81:10,19 84:1,4,8,9 96:7</p> <p>HTTP [1] 67:7</p> <p>human [1] 12:6</p> <p>hundred [1] 12:11</p> <p>hung [1] 27:23</p> <p>hypertext [1] 58:5</p> <p>hyphenated [1] 37:13</p>
-I-			
			<p>identification [1] 21:23</p> <p>identified [1] 158:10</p> <p>identifier [1] 81:21</p> <p>identifiers [2] 65:22 163:12</p> <p>identify [2] 22:1 138:14</p> <p>immediately [2] 27:9,13</p> <p>implementation [1] 100:9</p> <p>important [1] 55:2</p> <p>impossible [2] 65:6 83:11</p> <p>in-house [1] 26:17</p> <p>include [8] 24:2 43:20 45:20 60:15 99:1 143:10,11,23</p> <p>included [8] 26:4 45:18 92:15 98:25 99:2,19 143:16 164:5</p> <p>including [2] 25:23 135:3</p> <p>inclusive [1] 150:16</p> <p>incorrect [2] 27:11 40:11</p> <p>increase [1] 109:18</p> <p>increments [1] 22:9</p> <p>independently [1] 42:24</p> <p>indicate [1] 148:21</p> <p>indicated [1] 110:20</p> <p>indicative [1] 145:2</p> <p>individual [1] 81:17</p> <p>individuals [1] 35:25</p> <p>industry [3] 11:14,18,22</p> <p>informational [1] 49:17</p> <p>initial [4] 129:17,18,22 130:23</p> <p>input [5] 52:21,23 54:10 55:23 138:2</p> <p>inquiry [2] 106:16,21</p> <p>insert [1] 147:4</p> <p>installation [3] 19:5 47:23,25</p> <p>instance [1] 73:10</p> <p>instances [2] 56:14 144:22</p> <p>instead [4] 22:4 41:19 109:9</p>
-H-			
			<p>Hampshire [2] 152:4,5</p> <p>hand [3] 63:16 123:10 134:8</p> <p>handed [2] 106:8 128:1</p> <p>handle [2] 111:22 125:17</p> <p>handling [2] 77:18 89:3</p> <p>handy [1] 117:1</p> <p>hanging [1] 107:20</p> <p>happy [1] 42:12</p> <p>Harbinger [3] 131:10,12,18</p> <p>Harbinger's [1] 106:4</p> <p>hardware [1] 138:11</p> <p>head [8] 24:23 27:18 29:4 86:24 101:25 123:21 135:22 154:25</p> <p>headed [2] 22:5 25:5</p> <p>heading [4] 43:2 48:9 128:13 131:7</p> <p>headquarters [2] 10:23 12:6</p> <p>health [1] 12:6</p> <p>hear [3] 90:7 130:22 165:22</p> <p>heard [11] 52:10 65:24 79:22 86:21 122:23 143:19 145:8 146:24 150:5 158:22,23</p> <p>hearing [1] 170:14</p> <p>hereby [1] 170:4</p> <p>herein [2] 168:3 169:3</p> <p>Hi [1] 86:20</p> <p>hide [1] 146:15</p> <p>hierarchy [2] 110:14 111:13</p> <p>high [2] 9:2 10:10</p> <p>high-level [3] 32:22 36:5,24</p> <p>higher [1] 39:24</p> <p>himself [1] 78:14</p> <p>hired [2] 22:20 142:17</p>
-G-			
			<p>gaps [1] 97:4</p> <p>gateway [2] 15:16,19</p> <p>gather [10] 15:25 24:4 27:5 31:16 47:24 66:1,2 75:13 77:12 78:6</p> <p>gathered [2] 55:22 68:22</p> <p>general [5] 8:25 12:20 18:20 85:9 141:24</p> <p>generally [2] 61:5 98:21</p> <p>generate [2] 68:24 165:21</p> <p>generated [1] 115:2</p> <p>gentleman [2] 77:23,25</p> <p>gentlemen [9] 127:2 129:8 138:8 139:9 141:13 157:8,13 164:7 166:16</p> <p>geographic [1] 29:2</p> <p>Georgia [9] 29:7,8,12,14 56:2 56:5,5,6 63:12</p> <p>given [24] 15:1 18:12,22,23 19:1 20:3 24:9,11 32:5 38:8 41:2 83:8</p>

116:2 instructed [1] 18:11 instructions [5] 20:2 89:17 94:19 148:7 163:4 instruments [3] 9:15,16 10:4 insurance [1] 12:5 integrate [6] 19:17 27:4 34:20 97:19 98:7 130:1 integrated [4] 26:15,20 35:15 132:5 integrates [1] 103:15 integration [35] 12:4 14:1,21 17:8 19:6,20,24 26:17,22 32:5 33:8 36:1 42:7 43:13 46:17 68:21 87:7,8,13 91:8,9,11 102:11 105:7 142:16 149:4,22 153:24 154:5 155:4 157:21 160:23 161:10,11,20 integrator [1] 153:7 intended [2] 99:12 150:16 intention [1] 146:15 intentional [1] 119:9 interaction [1] 150:25 interconnection [1] 148:16 interest [1] 170:18 interested [1] 113:2 interexchange [1] 124:22 interface [42] 14:1,22,23 16:19 17:23,25 27:6 28:13 34:20 46:17 46:18 48:20 54:13 80:17 81:11 88:22 99:23 102:12 103:24 104:25 105:12,14 107:2 123:23 131:9,9,13 132:5 142:7,17 147:1 147:18 148:22 149:20,22 154:5 154:6 155:8 157:21 161:10,20 161:21 interfaces [5] 88:20 98:19 149:5 150:9 160:24 interject [1] 17:16 intermedia [1] 156:20 intermediary [1] 75:14 internal [9] 26:16 34:16,21 46:19,20 48:20 57:5 91:11 113:22 internally [2] 34:24 35:1 international [1] 9:18 internet [4] 80:20 133:16 137:13,16 interpret [1] 66:2 interpreting [1] 60:14 interrupt [1] 76:8 intervals [2] 50:19 118:10 intervenor [1] 144:17 introduced [2] 159:14 160:1 invalid [2] 49:2,6 inventory [1] 167:6 invisible [3] 103:11 107:4 108:9 invoice [2] 43:18 88:11 invoices [1] 167:2 invoicing [2] 146:12 167:2 involved [11] 12:21 13:21,23 45:16 53:25 54:2 68:13 78:11	91:1 92:1 108:15 IP [2] 104:19,21 issue [1] 109:10 issued [1] 36:4 issues [8] 30:8 39:18,21 40:5 42:3 86:6,7 109:15 items [2] 114:9 147:12 -J- J [1] 170:22 Jack [19] 32:14 42:3,15 45:21 48:12 77:17,22 89:25 90:1 93:12 93:13,15,21 100:23 102:15 117:8 152:5 169:2,8 Jacquomo [1] 39:2 January [1] 10:25 Jay [1] 157:25 job [2] 157:19 164:24 Johnson [6] 37:25 39:6,8,10,16 39:19 July [1] 76:13 jumping [1] 94:25 June [2] 9:25 134:20 -K- K-u-m-a-r [1] 32:16 Karen [3] 37:25 39:16,19 Kathy [2] 36:2,6 Kentucky [8] 29:15 56:8 134:7 139:18 160:8,9,13,18 key [1] 112:15 kin [1] 170:16 kinds [4] 36:19 82:12 138:11 141:2 knowledge [18] 71:2,9,15,20 71:24 79:3 131:12,17,19 135:12 137:19,25 140:15 141:1 155:3 156:23 168:5 169:5 Knowles [1] 139:25 known [1] 51:10 KPSC [1] 21:10 Kumar [8] 32:15 33:14,18 41:1 41:11 45:3,8,9 -L- labels [2] 58:19 119:2 lack [2] 126:5 164:21 laid [1] 158:2 language [3] 58:5 98:16 132:12 large [3] 83:4 112:1 153:9 last [14] 26:14 37:8,11,14 46:6 59:1 71:17 75:7 85:1 97:22 126:14,24 158:10,12 late [3] 19:24 42:4 76:13 Latin [1] 86:25 Law [1] 139:25 layman's [1] 32:25 layout [10] 66:8,20,22,23 74:21 80:9,13 122:12 164:9 165:7 LBDS [1] 153:17	LCI [4] 153:8,16,16 156:16 leadership [1] 35:24 learn [1] 160:16 learned [1] 167:8 learning [1] 35:25 least [6] 45:18 55:16 57:13 121:8 127:12 156:19 left [16] 38:15 40:15 41:13 58:12 59:14 60:12,20 62:1 63:10 82:9 82:12,15,25 113:23 118:19 161:13 left-hand [3] 55:18 58:10 62:18 Legacy [1] 13:7 legal [1] 115:13 legally [2] 115:7 116:9 length [2] 73:3,19 lengths [3] 67:8 73:5,6 LEO [2] 26:3 100:8 letter [1] 22:21 level [28] 17:9 20:11,16 35:10 55:8 59:22 62:19 65:7 68:10 70:16 72:5 74:8 77:16 81:20 83:7,11,14,19,21,24 94:14 111:17 120:10 163:21,24 165:18 166:4,6 levels [2] 89:3 110:23 leverage [2] 97:18 98:18 liability [1] 116:12 Liberty [1] 152:3 libraries [8] 17:1 28:1 30:17 33:23 138:20 139:4 151:13,14 license [6] 30:19 31:17,18 43:20 43:21 92:6 licensing [3] 24:2 30:8 31:1 life [2] 15:18 19:21 liked [1] 72:7 likely [5] 18:2 69:9 98:6 115:4 125:7 limit [3] 29:2 64:3 112:17 limitation [1] 114:6 limited [4] 29:8,12 99:3 161:5 line [17] 12:1 54:19,21,24 59:22 60:15,20 65:14,16,17 66:24 67:6 84:7 100:15 112:14 116:24 130:20 lines [9] 28:5 59:16 60:15 62:13 64:9,10 68:5 82:15 98:3 Link [1] 106:5 lion's [1] 45:11 list [40] 31:19,23,24 37:10,17,17 40:19 50:21,23 51:3,24 57:3 63:11 75:5 91:17,20 99:1,15 105:8 110:7 112:14,16,19 113:25 114:9,25 115:1,2,5,16 115:19 116:1,4,13 135:10,13 138:10 151:1,2 156:16 listed [21] 26:12 37:11,25 38:21 61:11 63:24 132:10,14 135:4,11 135:21 138:13 145:1,6 147:3,7 151:18 163:25 164:1 168:6 169:6 listing [18] 58:14 59:5,18 62:5,6 62:6,8,9,15 63:23 64:1 69:10	72:23 115:8 118:24 119:6,24 151:3 lists [1] 51:22 load [5] 28:11 89:3,5 94:20,21 loan [1] 140:2 local [2] 87:20 88:12 location [2] 118:22 119:24 longer [1] 143:2 looked [1] 133:16 looking [13] 13:1 22:5 23:9 53:20 57:13,23 62:1 77:1 104:4 118:1 119:1 129:11 132:9 Louisiana [1] 139:18 love [1] 84:11 lower [2] 81:20 165:18 LP [1] 127:3 LSR [1] 68:25 -M- M-a-r-c-h-a-n-t [2] 14:16 32:18 M-o-n-t-a-r-e [1] 9:19 M-u-t-h-u [2] 32:16 70:5 machine [5] 57:24 150:9,9,22 150:22 mailing [1] 73:15 main [3] 146:9 153:21 160:22 maintain [3] 18:9 27:1 116:15 maintaining [1] 18:5 maintenance [2] 19:13 41:13 major [3] 40:15 96:25 144:11 majority [4] 142:21,22 160:4 163:1 makes [1] 122:9 management [2] 10:6 22:9 manager [5] 33:10,11 35:23 36:4 93:1 Marchant [5] 14:16 32:18,21 32:23 89:19 mark [6] 67:11 76:14 155:25 157:4,6,24 marked [2] 21:23 22:1 markets [1] 12:5 markup [1] 58:5 Massachusetts [1] 152:4 Master's [2] 9:7,9 matches [1] 87:8 material [2] 26:25 92:11 materials [5] 23:22 91:25 92:1 139:10 151:9 math [1] 93:19 matter [1] 98:15 MCI [24] 76:15 78:9,16,21 79:6 79:21 142:6 152:17,17 153:3,5 154:3,8 155:2,17,23 156:11,21 156:24 157:4,24 159:9 161:19 162:2 Meadow [2] 72:24 74:3 means [3] 18:9 25:8,12 meant [2] 82:15 163:13
--	---	---	--

<p>medium [1] 154:24</p> <p>meet [2] 94:1,15</p> <p>meeting [1] 146:3</p> <p>meetings [3] 14:6,11 143:11</p> <p>memory [1] 50:13</p> <p>mentioned [9] 46:22,25 84:16 87:16 125:10 151:8 153:12 160:25 162:12</p> <p>mentor [1] 33:22</p> <p>mentoring [1] 35:24</p> <p>Merck [2] 38:23 39:2</p> <p>Merit [1] 170:24</p> <p>MERSHON [3] 119:17 140:1 140:4</p> <p>message [1] 94:7</p> <p>messages [1] 94:7</p> <p>method [1] 125:6</p> <p>methodology [1] 22:6</p> <p>methods [5] 25:23 26:1,7,7 138:20</p> <p>Microsoft [2] 44:17 152:21</p> <p>midcourse [1] 22:13</p> <p>middle [1] 90:2</p> <p>might [15] 31:17 58:20 64:13 64:17,20,20,23 65:1,1 91:4 113:15,17,22 123:25 147:24</p> <p>Mike [4] 78:8 86:20 119:11 121:15</p> <p>mimic [2] 116:10 146:24</p> <p>mimicking [3] 46:19 112:5 129:4</p> <p>mind [3] 21:15 127:13 134:12</p> <p>minor [3] 97:1 145:15,18</p> <p>minute [2] 94:7 105:17</p> <p>minutes [4] 71:17 158:13 159:18 161:16</p> <p>MIS [1] 10:15</p> <p>missed [1] 120:1</p> <p>missing [2] 82:21 96:13</p> <p>mix [1] 36:18</p> <p>mode [4] 47:24 106:16,21 117:10</p> <p>model [3] 25:10 97:9 128:15</p> <p>modified [1] 91:23</p> <p>moment [4] 37:3 65:9 134:18 141:10</p> <p>money [3] 143:4,22 144:5</p> <p>Montare [2] 9:18 10:2</p> <p>month [1] 93:14</p> <p>months [2] 49:24 98:10</p> <p>morning [2] 85:1 143:3</p> <p>mostly [1] 29:14</p> <p>move [2] 103:7 119:14</p> <p>moving [2] 85:9 97:7</p> <p>MRI [1] 153:6</p> <p>Ms [8] 37:11,13 38:9 39:6,8,8 39:10,23</p> <p>multiple [11] 74:5 107:15 110:23 111:3 112:11,13,16 113:8 114:4 115:3 125:18</p>	<p>multiselection [1] 114:8</p> <p>Muthu [2] 32:15 70:5</p> <p>Mutual [2] 152:2,3</p> <hr/> <p style="text-align: center;">-N-</p> <hr/> <p>N [2] 74:4 134:19</p> <p>N-tier [1] 17:4</p> <p>name [38] 14:3 15:18 23:9 37:12 37:14 38:8,15 39:17 42:21,22 60:21 61:11,12,12,20 64:15,23 67:5,22,23 69:22 73:23 74:10 75:7,7,18,20,24 78:10,17,20 81:23 82:2 83:7 84:6 126:17 163:13 164:1</p> <p>nature [2] 61:14 85:25</p> <p>necessarily [8] 18:1 63:25 67:8 84:13 90:11,19 98:2 101:8</p> <p>necessary [5] 68:3,4 75:10 109:18 121:22</p> <p>needed [12] 18:1 39:9,20 40:17 62:22 83:5 84:18,20 85:15 116:3 159:20,22</p> <p>negatively [2] 29:4 123:21</p> <p>negotiation [2] 87:14,22</p> <p>Neither [1] 119:4</p> <p>NetScape [2] 80:19 96:11</p> <p>network [1] 88:7</p> <p>newer [2] 147:22 148:1</p> <p>nice [2] 44:10 47:1</p> <p>nine [1] 154:15</p> <p>nodded [5] 24:23 27:18 101:25 135:22 154:25</p> <p>node [2] 110:20 111:17</p> <p>non-BST [3] 26:15,19 97:23</p> <p>none [6] 38:5 54:16 112:2 128:7 128:8,9</p> <p>normally [9] 30:23 31:20 32:4 48:17 88:10 133:4,5 136:7 148:10</p> <p>northern [1] 56:16</p> <p>Notary [3] 168:12 169:12 170:22</p> <p>note [1] 147:20</p> <p>notes [2] 123:1 142:3</p> <p>nothing [5] 63:15 84:5 93:23 125:18 147:16</p> <p>notices [1] 123:18</p> <p>notify [1] 102:19</p> <p>NT [1] 152:21</p> <p>number [28] 21:10 54:11,24 55:24 56:9,18 58:1 61:19 63:16 65:15 69:21 73:22 74:10 75:24 81:22 82:2 83:7 84:5 94:7 101:15 107:13 108:16 109:17 112:18 126:16 134:21 146:11 170:25</p> <p>numbers [27] 19:4 21:16 29:13 52:23 57:23 59:24 68:22 71:5 71:11 72:17 75:6 80:6 105:9 106:25 107:4 108:7,20,23,25 109:3,19 125:14,22,24 151:2,2 165:23</p>	<p style="text-align: center;">-O-</p> <hr/> <p>O'ROARK [15] 21:18,24 36:9 37:15 44:23 46:9 51:12,17,20 58:23 71:22 85:3,7,13 86:15</p> <p>O-r-a-c-l-e [1] 33:9</p> <p>object [5] 51:5 69:16 71:13 107:19,19</p> <p>object-oriented [1] 13:7</p> <p>objection [1] 51:14</p> <p>obligated [2] 115:7 116:10</p> <p>obligation [1] 115:14</p> <p>observe [1] 107:13</p> <p>observing [1] 158:1</p> <p>obtain [2] 115:21,21</p> <p>obtained [1] 107:10</p> <p>obtaining [3] 17:12,18 52:10</p> <p>obtains [1] 70:20</p> <p>obviously [4] 74:20 84:10 160:7 163:1</p> <p>occasionally [1] 39:18</p> <p>occur [1] 159:22</p> <p>occurred [1] 156:10</p> <p>occurring [1] 150:22</p> <p>off-the-shelf [1] 89:7</p> <p>offered [1] 123:25</p> <p>offering [1] 18:8</p> <p>office [10] 123:25 124:1,7,7,15 124:18,19,22,23 125:9</p> <p>offices [1] 12:7</p> <p>one-line [1] 13:2</p> <p>ongoing [1] 12:22</p> <p>OP [10] 17:3 104:25 107:2 111:1 123:3,5,22 128:16 131:7 138:3</p> <p>open [4] 110:17,19 111:14,16</p> <p>Operational [1] 134:19</p> <p>operations [1] 9:6</p> <p>OPII [26] 11:5 12:18 13:13,17 13:25 14:3 15:21 16:11 18:8 25:11 27:8 28:8 29:16 47:25 49:9 50:21 51:3,21 53:4 59:21 76:20 89:2 144:10 149:23 150:17 157:22</p> <p>opinion [4] 48:25 81:11 112:21 113:21</p> <p>opportunity [1] 32:2</p> <p>opposed [2] 103:23 125:6</p> <p>opposite [1] 62:7</p> <p>Oracle [7] 33:9 34:1,3,5,8 35:12 152:21</p> <p>orally [1] 128:5</p> <p>ordering [10] 14:22 55:7 68:19 69:20 87:19,22 109:23 117:10 132:5 142:15</p> <p>Ordering/Pre-ordering [3] 13:25 149:22 157:21</p> <p>orders [6] 24:17,21,24 28:13,23 106:13</p> <p>ordinarily [1] 31:25</p> <p>organization [2] 36:17 39:25</p> <p>oriented [2] 55:17 107:19</p>	<p>original [6] 13:19 91:5 101:16 102:23 145:5,17</p> <p>originally [5] 19:15 49:7 91:20 148:3 161:9</p> <p>OS [1] 152:21</p> <p>otherwise [3] 40:19 105:2 170:19</p> <p>ours [1] 30:23</p> <p>ourself [1] 128:22</p> <p>ourselves [3] 18:7 55:17 129:4</p> <p>out-state [1] 56:6</p> <p>outcome [1] 30:13</p> <p>outside [5] 92:7 99:16 135:13 144:2 159:10</p> <p>outsourced [2] 43:24 44:2</p> <p>outstanding [1] 42:3</p> <p>overall [2] 32:24 33:1</p> <p>overview [2] 87:6 145:6</p> <p>own [7] 46:18,19 90:24 113:22 114:15 124:17 163:11</p> <hr/> <p style="text-align: center;">-P-</p> <hr/> <p>package [2] 103:21 111:12</p> <p>packaged [1] 58:2</p> <p>PageNet [3] 10:22,24,25</p> <p>pages [1] 170:12</p> <p>paid [2] 22:23 146:18</p> <p>paper [2] 100:19 119:8</p> <p>paragraph [3] 99:5 134:2,24</p> <p>parse [29] 19:9,22 20:1,10 55:3 55:9 59:21,25 60:4 62:17 63:2 64:12 65:6 67:15 68:9 74:14 81:7,14,20 83:4,11,14,24 96:12 121:22 158:20 163:21,25 166:3</p> <p>parsed [5] 58:6 60:2 70:16 120:8 155:11</p> <p>parses [2] 121:2,5</p> <p>parsing [26] 20:3 55:11 62:15 71:16 74:8,8 79:24 80:1 145:7 149:10 151:2 155:2,5 161:2,17 161:24,25 162:14,18,20,21,24 163:6 165:12,18 166:7</p> <p>part [25] 13:19 14:10 20:21 34:19 35:16 40:20 47:17 53:22 66:1 68:14,24 69:1,3,16 70:2 88:15 104:7 105:12 139:6 145:12,15,16 148:22 155:8 157:19</p> <p>participate [1] 14:15</p> <p>particular [6] 64:4 84:7 90:20 111:5 118:11 120:5</p> <p>particulars [1] 12:24</p> <p>parties [2] 170:16,18</p> <p>parts [4] 19:15 68:17,18 125:16</p> <p>party [2] 144:6 152:21</p> <p>passed [2] 98:20 128:4</p> <p>past [1] 35:12</p> <p>path [1] 44:25</p> <p>patterns [3] 16:24 28:3 98:20</p> <p>PC-EDI [2] 19:6 161:10</p> <p>pen [1] 100:18</p>
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people [6] 38:5,21 92:24 98:11
 25:13,15
 percent [7] 102:9 142:20,22
 48:23 149:6,12,13
 percentage [4] 112:1 142:14
 42:17 149:8
 perform [11] 15:10 17:8 19:11
 2:5 41:13 42:12,13 97:20 107:3
 46:19 154:5
 performance [10] 94:2,4,12
 8:14 112:25 127:14,19,24,25
 28:3
 performed [3] 108:8,17 141:3
 performing [2] 42:7 106:23
 performs [1] 14:18
 perhaps [4] 26:6 38:15 65:5
 2:18
 permission [2] 125:14,15
 permit [1] 53:4
 permutation [1] 85:22
 person [3] 44:10 136:8 156:25
 person's [2] 67:5 78:19
 personal [1] 115:17
 personally [1] 113:11
 personnel [1] 132:2
 persons [1] 135:20
 perspective [8] 25:9 26:23 27:3
 7:22 33:3 97:19 102:5 128:14
 phase [4] 105:6,15 106:14
 16:16
 phone [19] 29:13 52:23 56:9
 27:23 96:17 107:13 108:16,20
 35:16,19 136:1 156:19,20,20
 56:21 157:4,5 159:18,23
 phrase [3] 98:24 127:16 140:22
 phrased [1] 84:21
 phrases [1] 86:25
 pick [2] 63:13 91:18
 picky [1] 101:11
 picture [2] 103:20 108:21
 piece [9] 18:4,17 19:14,16 73:14
 6:24 162:24 163:1 164:19
 pieces [6] 40:16 55:4 63:3 77:3
 1:18 153:25
 place [7] 31:10 68:21 88:2
 17:22 135:20 146:8 150:25
 places [1] 19:19
 piano [1] 10:23
 P [2] 23:15,16
 pint [13] 20:15 42:6 45:9 53:11
 27:24 74:2 88:25 100:5 102:6
 106:9 123:13 127:24 142:4
 prints [3] 30:15 113:13 159:21
 rip [1] 57:18
 rip-up [1] 49:18
 ripulate [2] 69:2 70:15
 ripulated [7] 57:8 60:22,23
 2:2,4 68:16 69:11
 ripulates [1] 117:23
 ripulation [1] 125:6
 riorion [6] 26:21 57:12 95:1

129:10 134:1,24
 portrays [1] 99:11
 Portsmouth [1] 152:4
 pose [1] 112:8
 position [1] 36:13
 possibilities [1] 115:18
 possible [1] 115:8
 possibly [2] 8:16 149:17
 postage [1] 73:12
 postal [1] 73:13
 potential [1] 125:18
 potentially [1] 83:19
 pound [1] 67:12
 pre [1] 69:11
 pre-order [17] 14:21 19:3 33:4
 46:17 47:24 48:4 68:20 69:1,6
 69:14 91:8 105:6 106:14 114:21
 130:3,8 161:9
 pre-ordering [3] 68:15 132:5
 142:16
 prebuilt [1] 102:14
 predicates [1] 107:6
 preexisting [1] 154:1
 preface [1] 140:14
 prefaced [3] 67:22 75:19,20
 prefer [2] 26:24 48:19
 premise [1] 16:23
 preparation [2] 131:25 139:11
 prepared [1] 21:10
 present [2] 72:8 143:22
 presentation [7] 62:20 68:19
 84:8 109:10 122:7 130:17 150:6
 presented [6] 61:15 72:10 75:4
 75:6 83:22 84:4
 presenting [1] 122:8
 Preston [1] 39:2
 presumes [1] 51:7
 Pretend [1] 90:22
 pretty [4] 44:5,6 45:2 50:12
 previous [5] 10:3 15:18 27:25
 65:4 128:20
 previously [2] 15:11 33:21
 price [1] 31:19
 pricing [1] 13:11
 primarily [3] 37:6 88:7 135:25
 primary [4] 20:12 52:8 145:12
 163:8
 print [2] 80:22 96:10
 printing [1] 92:17
 privy [1] 146:13
 problem [2] 39:5 128:21
 problems [8] 38:24 39:3 65:5
 80:1 84:19 85:18 144:18 166:7
 proceed [1] 89:17
 proceeding [2] 134:12 160:13
 proceedings [4] 132:18 133:24
 134:5 159:2
 process [10] 16:19 22:10 28:13
 69:18 79:7 101:3 102:3 117:17
 138:12 148:10

processing [7] 17:12 19:2 52:7
 52:7 70:25 85:23 102:8
 produced [2] 17:11 139:21
 product [9] 30:20,22 32:4,4
 92:25 93:25 139:1,2 140:18
 production [9] 16:25 17:1 28:2
 28:7 89:2,11 94:18 106:12,13
 products [3] 32:8 98:18 112:23
 Professional [1] 170:23
 professionals [1] 44:17
 programmer [2] 64:14 71:24
 programmer's [1] 146:1
 programmers [1] 142:23
 programming [7] 10:6 40:10
 144:18 145:23 146:8 153:15
 162:7
 programs [1] 151:10
 projects [7] 11:6 16:2 41:10
 73:9 102:6 144:23 154:21
 promise [1] 134:16
 promotes [1] 22:8
 promotional [1] 26:25
 properly [1] 163:3
 proposal [3] 15:20 16:5 23:21
 proposals [2] 15:12,13
 proprietary [2] 131:13 139:5
 prototype [9] 16:18,22 27:16
 88:20,22 90:15,19,25 113:13
 prove [3] 14:20 87:6 153:24
 proven [1] 16:24
 provide [5] 29:20 66:8 115:7
 115:18 118:11
 provided [17] 32:21 46:16 78:17
 112:20 113:17 118:10 129:17
 129:22 135:11,12,18 148:6,9,12
 148:13,17 153:18
 provides [1] 87:9
 providing [2] 35:24 116:6
 provisioning [2] 123:17,17
 Public [5] 160:9,18 168:12
 169:12 170:22
 publicly [1] 27:16
 published [1] 59:19
 Publishing [1] 139:25
 pull [6] 91:23 96:24 113:17,20
 113:22 125:1
 pulled [4] 41:11 96:22 104:12
 124:9
 purchase [6] 23:17,18,25 25:24
 91:25 92:7
 purchased [2] 88:4 92:6
 purely [3] 30:7 73:12 77:2
 purpose [5] 86:5 153:21 158:15
 160:11,22
 purposes [4] 62:20 121:18
 122:8 150:7

questions [26] 8:11,12,25 10:9
 13:12,15 36:5 38:6 47:20 55:16
 90:5 127:4 136:1,25 141:22,25
 142:5 143:1 146:21 150:3
 155:16,19 164:8 166:17 167:17
 170:6
 quick [1] 132:22
 quickly [2] 102:13 119:15
 quite [1] 122:24

-R-

ran [1] 125:11
 random [2] 115:7 125:24
 randomly [1] 115:2
 range [2] 114:3 154:24
 rate [1] 93:11
 rates [1] 73:13
 rather [6] 101:22 102:13 104:9
 115:5 116:14 158:13
 Raymond [5] 40:22 66:12 72:4
 82:22 136:11
 reaching [1] 37:24
 readily [1] 18:2
 reading [2] 128:17 135:7
 reads [2] 99:6 128:13
 realize [2] 27:15 49:23
 realizing [1] 20:17
 really [23] 16:22 26:7 50:23
 57:12 62:21 64:11 71:23 79:18
 88:2 97:1 109:18 110:7,9 114:22
 125:23 145:25 147:11,11 149:19
 161:8,11 164:13 167:11
 reason [10] 55:5 82:25 90:18
 111:25 120:4 134:10 136:22
 137:20 146:10 157:17
 reasonable [1] 121:4
 reasons [2] 73:12 84:12
 receive [6] 73:21 89:14 106:25
 111:1,2 155:23
 received [12] 55:12 97:3 99:8,9
 99:14,16,20,24,24 101:13,22
 140:17
 receiving [2] 76:14 123:17
 recent [1] 147:21
 recess [3] 52:4 141:17 167:15
 record [45] 17:21 19:9 21:9,21
 21:25 51:14,19 52:25 54:9,13
 60:25 66:8,20,22,23,25 80:9,12
 84:15 86:17 88:18 93:24 95:10
 117:5 119:7 126:25 127:7
 130:11 134:16 140:5 141:11,14
 141:20 155:2,5,12 161:24
 162:10,13 163:6 164:9 165:7,19
 165:20 167:6
 records [4] 59:21 149:10 165:25
 166:3
 redirect [2] 141:16,22
 reduced [2] 22:19 170:7
 refer [6] 58:20 74:8 120:18
 126:19 136:6 149:21
 reference [2] 47:23 131:5
 referred [2] 143:13 166:24

-Q-

quality [2] 87:8 119:8
 query [3] 104:7,13 111:1
 Quest [3] 153:8,16 156:16

<p>referring [14] 18:5,18 21:8 22:7 23:17 43:7 44:7 63:20,22 84:25 85:11 149:20 166:11,14</p> <p>refers [1] 83:16</p> <p>reflect [1] 43:2</p> <p>reflected [1] 43:1</p> <p>regarding [5] 40:23 66:15 90:24 111:5 138:2</p> <p>regardless [1] 81:17</p> <p>region [2] 54:12 87:21</p> <p>regional [2] 87:13,21</p> <p>Registered [2] 170:23,24</p> <p>regular [1] 170:17</p> <p>regulatory [2] 159:2 160:12</p> <p>rejected [1] 118:15</p> <p>related [1] 15:20</p> <p>release [3] 31:2,4,7</p> <p>rely [1] 115:6</p> <p>relying [1] 116:14</p> <p>remarks [1] 59:11</p> <p>repeat [1] 71:7</p> <p>rephrase [9] 8:15 15:3 24:18 29:23 51:16 94:11 99:4 140:20 140:21</p> <p>replace [2] 13:10 123:3</p> <p>report [30] 21:4,10 22:2 26:12 29:6 32:10,19 34:14 35:21 37:9 43:7 45:16 47:22 52:6 53:20 70:17 87:2 92:16 93:9 95:15,17 128:12 129:10 131:6 138:9 143:7 147:7 150:4 162:19 166:12</p> <p>reported [1] 95:22</p> <p>reporter [4] 8:11 170:23,24,24</p> <p>reports [1] 36:5</p> <p>repository [4] 138:13,16,19,22</p> <p>represent [3] 93:7 100:20 170:12</p> <p>representative [1] 36:8</p> <p>representatives [2] 8:18 79:21</p> <p>represented [4] 8:18 95:22 119:23 154:9</p> <p>representing [2] 141:21 157:2</p> <p>represents [2] 118:22,23</p> <p>request [9] 42:5 47:4 49:3,5 50:25 66:7,15 83:1 151:4</p> <p>requested [9] 24:13,16 27:5 28:12 31:7 50:22 51:4,22 138:2</p> <p>requesting [1] 61:14</p> <p>require [3] 111:20 112:11 114:4</p> <p>required [11] 25:16 28:18,25 63:12 64:6 69:14 97:20 105:7 105:13 121:3 125:23</p> <p>requirement [3] 45:22 73:17 97:8</p> <p>requirements [30] 20:23 22:16 23:25 25:6,11,22 26:16,20 90:4 94:2,4,6,13,15 97:10,13,23 98:3 127:14,20,24 128:1,3,12,16 129:17,19,23 130:23,25</p> <p>requirements' [2] 25:9 128:14</p> <p>requires [1] 61:19</p>	<p>research [2] 9:6 10:14</p> <p>reserve [4] 106:24 108:16,20 125:22</p> <p>reserving [3] 19:3 52:22 107:3</p> <p>residence [1] 16:20</p> <p>residential [14] 19:2 24:21 25:15 28:14 52:16,19 91:7 97:21 103:8 109:24 112:3 116:18,23 131:6</p> <p>resolved [1] 84:20</p> <p>resource [1] 135:20</p> <p>respect [4] 20:3 29:24 46:15 123:23</p> <p>respects [1] 129:5</p> <p>respond [1] 85:23</p> <p>responded [2] 136:1 142:6</p> <p>response [4] 66:19 76:22,23 148:20</p> <p>responses [2] 8:13 129:9</p> <p>responsibilities [1] 35:22</p> <p>responsible [3] 70:2 116:6 136:9</p> <p>restrictions [3] 23:7,12,14</p> <p>result [3] 105:17,22 170:19</p> <p>results [1] 15:9</p> <p>retrieve [3] 35:3 112:22 116:2</p> <p>retrieved [2] 17:24 18:1</p> <p>retrieving [1] 151:1</p> <p>return [1] 38:2</p> <p>returned [5] 54:13 58:4 81:10 83:9 112:18</p> <p>review [7] 22:10 35:8,11,12,14 35:16 139:11</p> <p>reviewed [1] 35:10</p> <p>RGBMS [1] 34:15</p> <p>right-hand [1] 58:11</p> <p>rights [6] 31:1,2,5,8,17,18</p> <p>road [2] 61:20 64:18</p> <p>Roanoke [4] 12:24 87:18 152:2 152:6</p> <p>Rob [7] 14:16 32:18 89:19 90:12 90:13 91:6 130:7</p> <p>role [2] 36:11 39:24</p> <p>roles [1] 36:18</p> <p>room [1] 36:7</p> <p>rough [1] 41:1</p> <p>roughed [2] 44:9,12</p> <p>roughly [4] 9:20 19:21 41:3 154:14</p> <p>routinely [1] 164:22</p> <p>rules [1] 8:10</p> <p>run [2] 64:13 123:15</p> <p>running [3] 42:10 96:20,21</p> <p>runs [1] 87:13</p>	<p>save [1] 108:18</p> <p>saved [1] 113:11</p> <p>scale [1] 154:23</p> <p>scaling [1] 41:18</p> <p>scenarios [1] 31:20</p> <p>scenes [1] 107:16</p> <p>schedule [1] 77:13</p> <p>SCHEMA [2] 72:1,3</p> <p>schemata [2] 164:9 165:7</p> <p>school [2] 9:2 10:10</p> <p>scope [9] 11:25 18:13,20,22 22:22 29:3 143:3 145:5,17</p> <p>scorecard [1] 88:17</p> <p>scratch [1] 98:13</p> <p>screen [11] 48:25 55:15,19 56:20 58:11,12 66:3 67:16 68:5 110:24 125:23</p> <p>screens [5] 97:11 105:1 150:3 150:10,15</p> <p>scroll [3] 109:2,2,3</p> <p>se [2] 73:22 92:11</p> <p>search [1] 114:2</p> <p>searching [1] 50:13</p> <p>seat [1] 58:19</p> <p>second [12] 56:1,20 59:5 62:6 63:10 75:13 79:17 98:24 130:6 156:2,10 157:4</p> <p>secondary [2] 37:25 52:11</p> <p>seconds [1] 108:13</p> <p>section [2] 22:5 25:5</p> <p>security [1] 84:12</p> <p>select [6] 56:11,12,14,24 57:3 110:7</p> <p>selecting [1] 56:13</p> <p>selection [2] 112:16 125:24</p> <p>sell [1] 30:23</p> <p>send [7] 83:1 96:6,14 108:13 123:8 136:10 166:24</p> <p>sense [4] 91:1 122:9 129:6,7</p> <p>sentence [7] 25:8,21 26:14 59:1 97:22 98:24 153:21</p> <p>separate [11] 34:18 49:17 58:22 59:2 69:18 72:24,25,25 121:8 136:24 152:7</p> <p>separated [2] 58:21 122:10</p> <p>separately [2] 168:6 169:6</p> <p>series [2] 8:11 150:2</p> <p>server [15] 17:5,6 58:3 82:20 96:6 103:15,18 104:8,18,18,20 107:11 108:6 112:21 123:6</p> <p>services [27] 12:6 19:4 26:18 32:9 33:7,7,8 89:1,2 94:18,19 94:20 96:12 108:2,16 112:7,23 113:10 114:1,3 123:23,24 124:6 124:8 130:2 151:5 153:19</p> <p>servicing [1] 96:14</p> <p>seven [3] 108:22 109:3,9</p> <p>share [1] 45:11</p> <p>shared [1] 138:19</p> <p>sharing [1] 138:25</p> <p>sheet [1] 120:14</p>	<p>shook [2] 29:4 123:21</p> <p>short [5] 52:4 60:9 141:17 158:14 167:15</p> <p>shorter [1] 126:4</p> <p>Shorthand [1] 170:24</p> <p>show [17] 19:20 20:10,18 26:16 26:22,22 46:16 50:14,21,24 51:1 51:8 113:15,16,19,23 134:12</p> <p>showed [2] 34:17 139:16</p> <p>shown [13] 44:25 50:16,18 67:15 68:5 70:16 143:6 145:21,22 150:20 162:18 166:4,10</p> <p>shows [5] 51:9 55:15 108:22 118:1 144:9</p> <p>side [8] 36:4 58:10,12 60:1 87:13 106:4,4 147:20</p> <p>sideways [1] 110:22</p> <p>sign [1] 67:12</p> <p>similar [7] 72:10 75:5 82:3 126:20 129:5 136:20 137:8</p> <p>simply [5] 15:1,6 49:4 51:21 54:15</p> <p>single [2] 112:19 115:5</p> <p>site [2] 32:6 148:17</p> <p>situation [2] 89:6 116:25</p> <p>six [1] 9:16</p> <p>sketch [2] 9:1,14</p> <p>Slight [1] 140:4</p> <p>small [1] 145:16</p> <p>smaller [3] 55:3 63:2 83:5</p> <p>Smith [1] 170:22</p> <p>sold [1] 32:3</p> <p>Solely [1] 16:5</p> <p>someone [16] 39:17 54:8 64:3,6 75:22 78:16 100:18 102:17 109:23 116:16 124:16 143:12 144:2 145:19 146:1 156:11</p> <p>sometime [2] 47:8,14</p> <p>sometimes [3] 65:23 136:11,12</p> <p>somewhere [1] 105:19</p> <p>sorry [6] 23:8 34:2 39:6 49:23 71:7 137:1</p> <p>sort [4] 70:24 75:14 76:2 81:21</p> <p>sounds [1] 11:5</p> <p>source [7] 30:6 80:21,22 81:4 96:10 142:7 149:15</p> <p>sources [2] 98:25 101:23</p> <p>southern [1] 56:16</p> <p>space [2] 66:24 109:19</p> <p>speak [4] 27:21,24 39:25 83:17</p> <p>speaking [1] 130:12</p> <p>spec [1] 147:5</p> <p>specializes [1] 12:3</p> <p>specific [5] 20:2 24:9,11 38:13 85:22</p> <p>specifically [5] 13:10 40:5 82:14 90:6 150:25</p> <p>specification [15] 80:8,11,15 97:3 99:23 101:5,13,14 102:17 102:20 135:5,5 147:18 163:9 164:5</p>
---	--	---	---

-S-

S-Q-L [1] 34:10

sales [3] 13:19 14:18 31:12

salespeople [1] 14:13

salesperson [1] 14:17

specifications [22] 23:24 25:18
 25:25 26:2,3,4 36:23 38:12
 39:11 40:4 76:20 80:25 81:7,25
 92:9 91:2 100:1,1 102:23 136:5
 147:23 154:2
 specifics [1] 91:10
 specified [5] 71:5,11 72:16 73:3
 75:5
 specifies [1] 22:22
 specs [11] 38:16,18 40:2,8 80:3
 101:16,20 103:2,2,5 126:19
 speed [1] 33:23
 spend [1] 47:16
 spent [10] 43:3,10 47:18 80:5
 83:6 102:11 119:12 142:4 149:4
 149:10
 spiral [1] 22:7
 spit [2] 41:4,8
 spoke [1] 86:4
 sprint [9] 127:2 140:3 153:7,12
 154:4,8 157:12,18 162:3
 SQL [5] 33:25 34:3,4,8 35:4
 Stacy [3] 134:19,24 135:1
 Stacy's [2] 132:16 133:23
 stage [4] 48:4,6 68:15 102:1
 stand-alone [1] 32:3
 standard [3] 25:24 112:15
 153:8
 standpoint [4] 68:19 112:25
 115:17 122:7
 stands [4] 13:25 49:1 118:14
 157:5
 star [1] 110:11
 start [3] 120:23 158:12 164:10
 started [13] 9:17,24 20:15 41:18
 50:25 100:16,23 101:1 144:9,10
 158:18 159:15,25
 starting [5] 10:25 47:22 58:12
 65:16 98:13
 starts [1] 125:12
 state [12] 54:11 55:24 56:2,8,11
 56:13,14,22 58:1 121:9 122:9
 154:1
 STATE OF GEORGIA [1]
 170:2
 statement [3] 89:14 95:7 101:12
 statements [2] 27:20 85:12
 states [6] 35:23 56:12 57:4 131:7
 134:25 135:1
 status [2] 31:13 36:21
 stay [1] 134:16
 step [7] 15:23 75:23 87:2 104:25
 105:2 118:4 134:15
 steps [2] 130:8 146:16
 still [7] 49:3 103:10 108:8
 115:22 127:18 148:2 165:11
 stodd [1] 167:4
 stop [1] 106:7
 stopped [2] 106:8,11
 store [3] 83:6 107:17 116:1
 stored [6] 18:2 69:15 72:12 74:4
 107:24 115:12

street [28] 61:17,19,19,20,20
 62:2,7,10,11 64:15,18,20 69:21
 69:22 73:22,23 74:9 75:23,24
 81:22,23 82:2,2 83:7,7 84:6,6
 121:10
 strictly [2] 44:19 134:6
 strike [2] 66:1 79:13
 string [15] 54:18,23 55:12 67:3
 67:3,11,19,20 75:21 82:19 83:1
 104:7,13 121:18 163:12
 structured [2] 27:8 53:4
 subject [3] 37:1 134:3 155:1
 subjects [1] 85:4
 submit [1] 155:8
 submitted [1] 132:17
 subscribed [2] 168:10 169:10
 successfully [1] 79:23
 suffices [1] 151:7
 sufficient [1] 81:19
 suggestion [1] 84:9
 suggestions [2] 91:13 98:4
 summary [2] 13:3 77:2
 supervised [1] 33:13
 supervision [1] 32:22
 supplied [2] 135:3 165:1
 support [2] 74:23 134:19
 suppose [6] 67:2 75:22 88:3
 115:15,15 141:22
 supposed [1] 89:15
 surmised [1] 163:11
 surprised [1] 160:16
 switched [1] 100:6
 sworn [3] 168:10 169:10 170:10
 synonymously [2] 80:12,14
 system [23] 13:7,8 48:10,20
 87:14,22,22 94:16,17 100:11
 103:10,15,23 105:1,3 106:11,13
 106:16 118:14,16 142:9 153:6
 167:6
 systematic [1] 126:4
 systems [15] 9:10 12:4,23 13:11
 19:17 32:5 87:19,20 88:6 123:9
 134:20 142:8 152:6 157:1 162:4

-T-

tab [2] 107:7 120:25
 table [1] 154:10
 tabs [1] 107:11
 tag [2] 16:4 67:11
 tags [4] 67:9,14,17,18
 takes [5] 52:21 68:21 108:13
 118:10 150:25
 taking [2] 8:12 146:8
 talks [3] 58:21 59:1 95:15
 tasked [1] 87:6
 tasks [1] 107:15
 team [1] 138:24
 technical [24] 14:18 33:22 35:24
 38:1 39:18,21 40:1 43:24 44:4
 44:10,15 76:19 79:17,18 80:3,8
 80:11,15 81:6 86:6,22 104:16

136:5 163:9
 technology [2] 33:19 164:18
 telecom [1] 12:5
 telecommunications [5] 15:15
 94:3 127:17 152:10 153:14
 telephone [28] 11:10,14,17,22
 19:4 54:11 55:24 56:18 58:1
 63:15 65:15 68:21 75:5 76:14
 78:6 85:2 88:5 105:9 106:24
 107:4 108:7 125:14,22 126:16
 151:1,2 155:22 158:8
 temporarily [1] 107:17
 term [7] 65:24 74:7 122:23
 144:16,17,18 164:14
 termed [1] 68:24
 terms [4] 12:20 32:25 94:6
 104:17
 test [4] 28:11 86:7,11 94:20
 tested [12] 28:9 29:14,14 59:23
 62:14 80:6 86:13 96:19,24
 105:21 106:1,3
 testified [5] 68:7 71:16 95:11
 136:17 137:2
 testify [1] 147:16
 testimony [6] 27:12 127:11
 140:15 164:11 168:3 169:3
 testing [20] 29:13 42:7,9 45:17
 57:22 86:4,8 125:10 126:4,9,12
 140:16,22 141:2,6,8 143:19
 146:5 162:22 163:2
 tests [1] 125:11
 Texas [6] 9:7,15,16 10:4,12,23
 text [2] 67:19,20
 therefore [1] 40:3
 thereto [1] 170:7
 third [3] 59:6 144:6 156:7
 thought [9] 86:13 91:4 101:4
 114:14 119:25 121:15 129:5,7
 136:6
 three [22] 12:5 18:18 47:18
 58:10 59:14,15 60:11 65:11
 71:17,20 99:7,8 135:4,10,13
 152:14 155:24 156:9,11 162:16
 162:22,23
 three-tier [1] 17:4
 three-way [1] 110:20
 through [42] 19:18 25:6,15 33:4
 43:3,11 68:23 76:3 87:2 91:7,17
 96:6,10,12 97:11 100:3 103:10
 103:14,17,22 104:10,10,14,25
 105:2,12 106:3 108:6 111:1
 115:3,11,22,24 119:14 123:8,9
 126:15,16 129:24 130:8 146:4
 148:10
 throughout [1] 22:11
 throughput [3] 89:4 94:7
 127:22
 thrown [3] 26:6 46:22 90:16
 thumbnail [2] 9:1,13
 times [7] 22:20 38:1,14 107:15
 115:3 146:24 156:11
 together [4] 15:7 16:13 27:23
 121:12
 Tom [2] 21:19 141:20

tool [2] 126:9,12
 tools [2] 98:16 151:10
 top [10] 21:15 30:18 57:11 58:13
 59:8,9 63:10 76:25 118:18
 153:25
 total [4] 41:2 43:18 47:18 155:24
 totally [1] 88:16
 Touch [1] 110:11
 town [2] 93:22,22
 transaction [2] 25:24 26:5
 transcript [3] 168:3 169:3
 170:13
 transmitted [2] 54:18,22
 tree [1] 110:14
 triangle [1] 110:22
 trouble [3] 64:17 79:8 158:21
 Trusted [1] 106:5
 truth [1] 139:16
 Tully [2] 9:23 10:2
 turn [4] 21:12 37:2 45:24 55:14
 Turner [32] 76:14,19,23 77:9
 77:19 78:2,3,5,7,8,13 79:6,10
 82:8 83:3,13 155:17 157:5,24
 158:2,9,18 159:5,14,19,22,25
 160:5,8,10,21 161:15
 turns [1] 39:2
 twice [1] 62:2
 two [33] 9:23,24 10:1 27:20
 35:25 41:19 45:1 55:18 57:8
 62:11,12,12 64:15 68:17,18
 73:24 74:19 77:3 78:6 79:12,13
 98:10 99:6 103:6 108:13 113:13
 118:20 119:23 141:22 142:24
 153:25 156:9 159:17
 type [17] 40:9 61:13,20 66:25
 67:13 74:10 91:1 108:19 133:10
 144:18 146:5 151:4,22 154:17
 156:25 159:2 162:4
 types [2] 125:11 164:18
 typewriting [1] 170:7
 typical [1] 98:11
 typically [1] 72:20
 typos [3] 38:14 40:7 82:18

-U-

U.S [1] 153:9
 unable [2] 38:2 83:15
 unauthorized [1] 57:20
 unbroken [3] 54:18,23 67:3
 unclear [1] 127:18
 under [13] 38:21 43:2 48:8 52:6
 65:14 98:22 127:11 128:12,13
 131:6 138:9 151:17 170:7
 undergraduate [1] 9:5
 underlying [5] 89:1 94:17
 151:9,22 152:18
 understand [12] 8:17 20:14
 25:7 41:16 48:8 60:17 66:16
 74:11 75:12 97:14,18 122:20
 Understood [1] 49:16
 undertake [3] 16:3,4,9

<p>undertook [2] 16:6 154:20 unfortunately [1] 132:11 unique [1] 81:13 Universal [1] 153:19 universe [2] 99:9 111:2 universities [1] 10:15 University [3] 9:6,7 10:13 unsuccessful [1] 37:24 unusual [1] 145:2 update [1] 147:13 updated [4] 101:4 102:16,19 147:17 upper [4] 55:18 57:11 60:19 62:1 usable [1] 55:3 user [30] 33:6 48:18,22 49:5 50:5 53:5,6,12 54:10,14 55:22 56:10,11,18,20 57:3 63:12,16 69:12 98:19 102:12 103:12 104:9,12 107:5,8 108:4,9 148:21 150:11 user-friendly [1] 75:16 users [1] 28:6 uses [3] 75:15 115:20 153:9 using [15] 13:8 25:22 54:15 70:16 80:12,19 100:7 102:13 104:15,20,24 152:5 153:5,8,11 usually [1] 127:4</p> <hr/> <p style="text-align: center;">-V-</p> <p>vacation [1] 38:4 valid [16] 29:13 48:11,22 49:1 49:14,19 58:4 105:23 107:10 108:5 117:24 118:7 121:5 125:3 125:17,21 validate [3] 105:7 106:23 118:15 validated [6] 68:22 69:6 107:22 107:23 117:9 124:12 validating [1] 52:22 validation [12] 19:3 80:23 82:24 106:15,22 107:3,6 108:14 117:16 124:4 125:13 151:5 validity [1] 42:24 value [1] 67:13 variable [3] 38:15 73:6 97:2 variables [1] 96:14 various [6] 16:24 25:23 26:9 31:20 98:20 150:3 vary [4] 123:25 124:6,18,22 vast [2] 142:21 160:2 vehicle [1] 123:5 verbal [2] 89:18,20 verified [1] 48:21 verify [1] 40:13 version [13] 36:22,23 77:2 100:2 100:3,7,8 101:15,19 102:24 114:21 147:6,18 versus [7] 26:17 33:4 56:6 73:16 73:22 84:6,6 vertical [1] 12:5</p>	<p>via [8] 17:25 54:13,18,23 80:17 81:11 84:1 155:8 viability [3] 14:21 87:7 153:24 video [1] 139:19 view [14] 47:25 48:5 53:5,6,13 54:6,9 57:19,25 80:20 88:19 95:15 126:14 149:18 viewer [3] 150:18,19,20 viewing [4] 17:13 18:21 57:21 103:16 Vinnie [1] 156:22 Virginia [3] 12:24 152:3 156:24 visible [1] 109:4 visually [1] 33:6</p> <hr/> <p style="text-align: center;">-W-</p> <p>W [1] 74:4 wade [1] 115:11 wages [1] 92:23 waiting [1] 96:17 walk [1] 25:6 walked [1] 130:8 wants [1] 63:18 Washington [1] 12:8 ways [6] 25:13 73:10 74:19 75:9 99:6 113:8 web [13] 25:9 80:19 96:22 97:8 103:10 104:4,10,17,22 111:10 123:3 128:14 148:16 web-based [1] 103:9 week [11] 20:1 41:19,20 46:1,6 46:23 101:2,6,6 102:1,1 weekly [1] 36:4 weeks [6] 93:16,18 145:23,25 148:23 154:15 weeks' [1] 93:12 Weissman [1] 42:21 welcome [1] 129:13 West [1] 153:9 whatsoever [1] 136:22 Whereas [3] 57:5 63:15 115:1 whole [5] 83:18 102:12 111:2 113:19 161:8 Wholesale [1] 15:19 William [1] 134:19 willing [2] 31:4 154:3 Wilson-Chu [4] 36:2,6 37:13 37:13 window [13] 35:10 49:17,18 57:12,18 58:7 63:10 80:21 102:7 120:16,19 121:2 162:21 windows [3] 122:7 150:4,10 wish [1] 86:21 witness [16] 24:23 27:18 29:4 46:11 51:6,18 71:15 101:25 123:21 134:9 135:22 154:25 168:2 169:2 170:9,14 witnesses [1] 141:23 WNS-1 [1] 21:9 wondering [1] 94:13</p>	<p>word [5] 26:6 44:18 64:23 90:15 126:6 wording [2] 44:13 99:19 words [15] 18:6 27:24 30:24 49:10 50:21 63:9 64:9,15 67:10 69:5 73:13 80:18 81:1 91:16 96:5 workable [1] 130:25 worked [20] 9:15,17,23 10:2,22 10:25 15:13 35:3 42:11,15 47:1 47:7 49:24 73:8 84:19 94:16,17 97:16 153:16 159:9 works [9] 8:4 36:16 86:7 94:9 94:10 106:16 107:18 127:23 156:24 WorldCom [1] 153:18 worldwide [1] 144:24 worry [1] 74:21 worth [1] 93:12 write [7] 23:24 33:16 34:4,7 35:4 142:10,18 writer [4] 43:25 44:4,16 144:2 writer's [1] 143:23 writing [3] 22:19 45:16 98:21 written [9] 22:21 89:18,23 90:11,12 127:25 142:15,23 149:18 wrong [2] 84:17 93:4 wrote [8] 33:25 34:3,6,8 35:11 89:1 142:6,24</p> <hr/> <p style="text-align: center;">-Y-</p> <p>year [3] 10:3 11:1 50:24 years [4] 9:16,23,24 10:1 yesterday [2] 139:14,19 Young [2] 42:23 143:14</p> <hr/> <p style="text-align: center;">-Z-</p> <p>zip [5] 65:1 82:25 121:9 122:10 164:1 zones [1] 156:7 ZSER [1] 65:17</p>
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